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FLORIDA  
during the  
TERRITORIAL DAYS

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BY  
SIDNEY WALTER MARTIN

*Associate Professor of History  
The University of Georgia*

1944

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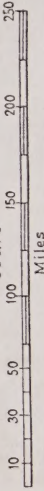
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FLORIDA  
during the  
TERRITORIAL DAYS







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**FORT MELLON, LAKE MONROE.**  
*(East Florida)*



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To  
JOHN HOLLIDAY PERRY  
*public spirited citizen  
ever interested in the  
history and development  
of Florida*





## PREFACE

THE HISTORY OF FLORIDA IS LONG AND VARIED, BUT NO PART IS more interesting than the Territorial period, 1819-1845. During that time Florida went through a transition; she changed from a Spanish Colony to an American State but not without dire circumstances and repercussions. It is with this change, and the coming of Florida into the Union as a State that this work deals. The year 1845 is a most significant date in Florida history, and as the Centennial of the State is celebrated in 1945, Floridians are justly proud of the advancement made during the 100 year period of American statehood.

This study has resulted from several years of keen interest in Florida history. After the completion of a Master's thesis, "The Second Discovery of Florida, 1890-1914," at the University of Georgia under the direction of Dr. E. Merton Coulter, the way opened for further study and research in my chosen field under Dr. Fletcher M. Green at the University of North Carolina. To both Professors Green and Coulter I am deeply indebted for stimulation of interest, for encouragement, and for the suggestions they have given from time to time.

Others who, by their courtesies and cooperation, have made valuable contributions to the study are: Julien C. Yonge, Editor of the *Florida Historical Quarterly*; Watt Marchman, Secretary of the Florida Historical Society; Professor A. J. Hanna, Rollins College; William T. Cash, Florida State Librarian; Dr. Dorothy Dodd, Florida State Archivist; Dr. Clarence E. Carter and Dr. George Auxier, Division of Research and Publication, State Department; Dr. Philip Hamer and



## PREFACE

Miss Edna Vosper, The National Archives; Dr. Cecil Powell, Manuscript Division, Library of Congress; Dr. Kathryn Abbey Hanna and Daniel H. Redfearn, Florida State Library Board; Mrs. E. W. Lawson, St. Augustine (Florida) Historical Society; Miss Bess McGill, Palatka (Florida) Public Library; Abe Hurwitz, Editor, *Jacksonville Journal*; Walter F. Coachman, Jr., Director, Ship Canal Authority of Florida; and Miss Elizabeth LaBoone, Miss Sarah Lamar, and Wymberly W. DeRenne, University of Georgia Library. To each of these I am most grateful.

My thanks are also extended to Dr. Hugh Lefler and Dr. Cecil Johnson, of the University of North Carolina, and to Dr. J. Ralph Thaxton and Dr. E. M. Everett, of the University of Georgia, for reading the manuscript and making constructive suggestions. I am also indebted to Mrs. Foy E. Hill for her aid in getting the work in its final form, and to Mrs. Forrest Cumming, Director of the University of Georgia Press, who has given unsparingly of her time.

Part of Chapter XI has appeared in the *Florida Historical Quarterly*, and a part of Chapter V was published recently in the *Journal of Southern History*. The editors of these publications have kindly given me permission to use these chapters here.

Special recognition should go to my wife, Clare Philips Martin, whose patience and understanding helped to speed the work to a finish, and also our young daughter, Ellen Clare Martin, whose maternal forebears helped to shape the destiny of Florida during the period with which this study deals.

S. W. M.

Athens, Georgia,  
May 15, 1944





# CONTENTS

<i>Chapter</i>	<i>Page</i>
Preface	vii
I. The United States Acquires Florida	i
II. New Life on Old Soil	15
III. Government and Politics	32
IV. The Administration of Governor Duval	53
V. The Question of Lands	69
VI. Social and Economic Transition	97
VII. Internal Improvements	124
VIII. Frontier Towns	165
IX. Beginnings of Protestant Religion and Education	198
X. The Struggle with the Seminoles	224
XI. Governor Call, a Jackson Satellite	240
XII. The Coming of Statehood, 1845	258
Bibliography	279
Index	293



## *Chapter I:* THE UNITED STATES ACQUIRES FLORIDA

THE EARLY PART OF THE NINETEENTH CENTURY SAW THE United States expanding under an impulse known to historians as manifest destiny. The push westward across the mountains, the rivers, and the plains was difficult and tedious, but the feeling that America's destiny lay farther west was ever persistent. Manifest destiny not only gave rise to a western growth, but also influenced expansion southward. The acquisition of Florida was part of this southward movement, and though Spain did not care to let Florida pass from under her jurisdiction, conditions made it impossible for her to do little more than delay the action. The peninsula was a dependency of Spain for several centuries with the exception of a brief span of twenty years (1763-1783) when it was a possession of Great Britain.

Before 1810 Spanish Florida extended across a narrow strip of the Gulf coast all the way to the Mississippi River. The temptation to acquire this territory became so intense that on October 27, 1810, President Madison proclaimed American authority over all the section of Florida between the Mississippi and Perdido rivers. By 1814 United States troops were stationed throughout that area, and thereafter Spain never regained control of it. The war party in Washington hoped that all Florida might be acquired during the War of 1812, especially if Spain came into the War against the United States, but she chose to remain a non-belligerent in the struggle. The occupation of most of West Florida was a flagrant aggression on Spanish territory, but the Madison ad-



## FLORIDA DURING THE TERRITORIAL DAYS

ministration insisted that it had actually been acquired by the purchase of Louisiana in 1803. Spain protested against this view to the bitter end, but to no avail.<sup>1</sup>

Spain divided what was left of Florida after 1814 into two sections, East and West Florida, making the Suwannee River the dividing line. The western boundary of the Territory was fixed at the Perdido River, the present boundary of the state of Florida. After 1814 Spanish interest in Florida declined rapidly. The entire peninsula became a haven for runaway slaves, pirates, thieves, and renegade sailors. With such conditions existing on its border, the United States recognized a pressing need for the annexation of Florida. Spain had promised in the Treaty of 1795 with the United States to restrain any Indian uprising in Florida, so that America's frontier might be kept peaceful.<sup>2</sup> But Spain was not strong enough to fulfill her promise, and General Andrew Jackson led an expeditionary force across the border into Florida in 1818 and suppressed Indian disturbances from St. Marks to the Suwannee River. Leaving in his wake a subdued group of Indians, Spanish, and a few British, the General returned to the United States to be faced by bitter criticism. However, many people in the South and West approved his action. Jackson had forced his way onto foreign soil, and his enemies had been given a taste of American pressure in action.<sup>3</sup>

Spain was not anxious to fight the United States; neither did the United States care for war with Spain, but there was a general desire on the part of the people to obtain Florida. President Monroe made haste to appease Spain, whose feelings had been ruffled by Jackson's ruthless invasion. The conquered military posts were returned to Spain, thereby saving further embarrassment with that country. After a time, Great Britain

<sup>1</sup> Thomas A. Bailey, *A Diplomatic History of the American People*, 162-165.

<sup>2</sup> *Ibid.*, 68.

<sup>3</sup> Marquis James, *Andrew Jackson: The Border Captain*, 288.





## THE UNITED STATES ACQUIRES FLORIDA

dismissed the case against the United States for Jackson's having executed two of her subjects, Ambrister and Arbuthnot, in Florida, but not until much anxiety had been shown over the controversy both in England and the United States. Despite his efforts to cool foreign tempers, the President refused to censure Jackson, giving a clear indication that the administration in Washington was none too sorry that the expedition had taken place. Ex-Presidents Jefferson and Madison both approved Monroe's policy, but like almost everyone else, they too hoped for peaceful settlement.<sup>4</sup>

The Jackson episode did much towards preparing the way for acquisition of Florida by the United States. A considerable number of Spanish troops had been called from the Territory to take part in the Revolution in South America, and Spain realized that it was highly possible that at any time the United States might seize Florida. There was no alternative for Spain. She had to negotiate with the United States.<sup>5</sup>

Negotiations for a permanent settlement of the Florida controversy were begun between Luis de Onís, the Spanish minister, and Secretary of State, John Quincy Adams, in October, 1818. Onís, who was anxious to get as much from the deal as possible, was stubborn and at first refused to yield to points suggested by Adams, for he had received word from King Ferdinand VII of Spain to the effect that the homeland would be reluctant to yield Florida to the United States. Since Spain's South American colonies were revolting against her at the time, she was anxious to make Florida a Spanish stronghold as long as she could.<sup>6</sup> Under these conditions Onís and Adams worked for several months. The many pauses in the negotia-

<sup>4</sup> Charles Carroll Griffin, *The United States and the Disruption of the Spanish Empire, 1810-1822*, 177.

<sup>5</sup> Dexter Perkins, "John Quincy Adams," in Samuel Flagg Bemis, *American Secretaries of State and Their Diplomacy*. Cited hereafter as *American Secretaries of State*.

<sup>6</sup> C. C. Griffin, *United States and the Disruption of the Spanish Empire*, 180.



## FLORIDA DURING THE TERRITORIAL DAYS

tions were alarming, because failure to bring about an understanding might ultimately result in open war between the two nations. Onís gradually gave in to the wishes of the accomplished American diplomat, however, and as Adams continued to dominate the conference, the Spanish minister conceded point after point.<sup>7</sup>

A most embarrassing feature of the negotiations resulted from President Monroe's desire to recognize the recently revolted Spanish colonies in South America as free and independent nations. To have done so openly would have meant an abrupt ending to the negotiations, for a mere statement of sympathy for the colonies in July, 1818, by the President was regarded by Onís as an act of unfriendliness to him and his country. Immediate apologies were extended by Adams when the Spanish minister called his attention to President Monroe's attitude. Even so, the discussions almost bogged down in February, 1819, when Adams was accused of attempting to cease peaceful discussions while preparing to occupy all of the Florida region by force. President Monroe, who was so anxious for a treaty that he was willing to make concessions, gave aid to the two diplomats in several stormy disputes.<sup>8</sup> Finally on February 20, 1819, the long controversy ended and two days later, on February 22, the treaty was signed and sealed. It brought to a close diplomatic efforts which had been carried on between the two nations for many years, even before the settlement was undertaken by Onís and Adams. Adams commented that the day on which the treaty was signed was perhaps the most important day of his life.<sup>9</sup>

Adams had good reason to feel jubilant over the outcome of the negotiations for he had made a good bargain with Spain.

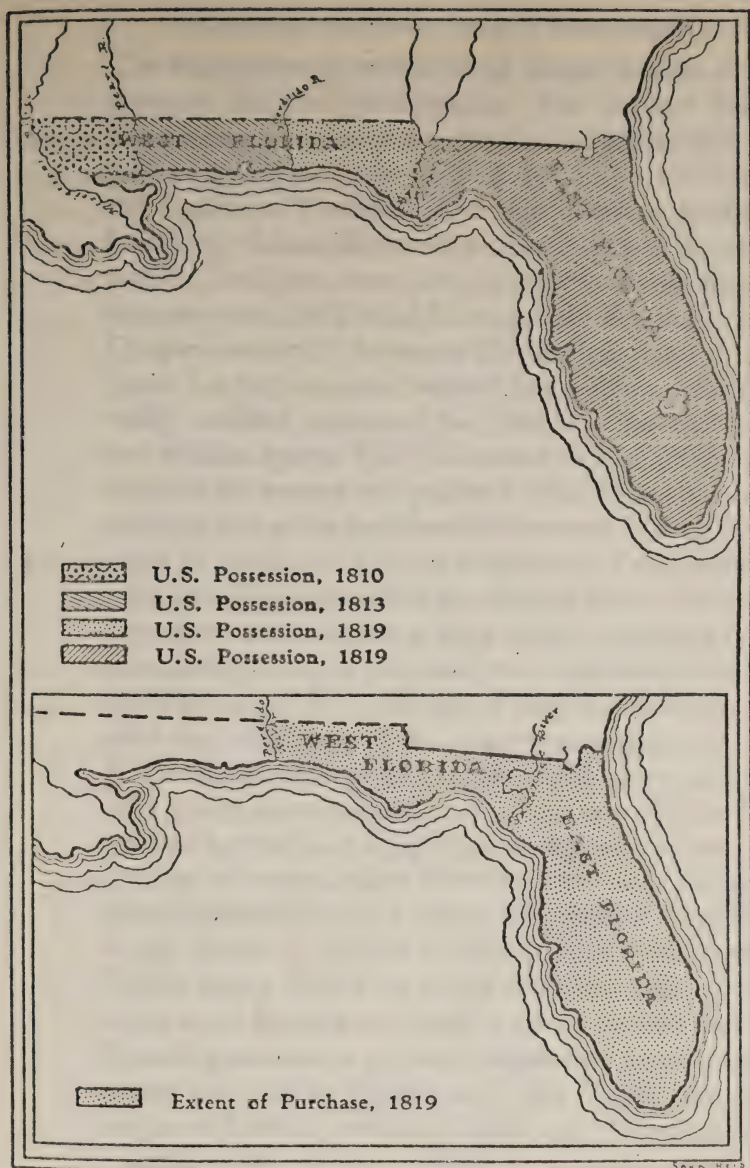
<sup>7</sup> Hubert Bruce Fuller, *The Purchase of Florida, Its History and Diplomacy*, 308. Cited hereafter as *Purchase of Florida*.

<sup>8</sup> Dexter Perkins, "John Quincy Adams," in S. F. Bemis, *American Secretaries of State*, IV, 30-31.

<sup>9</sup> H. B. Fuller, *Purchase of Florida*, 306.







*Florida Becomes American*



## FLORIDA DURING THE TERRITORIAL DAYS

The finished treaty consisted of sixteen articles of agreement between the two governments. The western boundary of United States territory was fixed at the Sabine River, and thus gave to Spain the Texas region that had been claimed under the Louisiana Purchase. The new western boundary, after leaving the Sabine River, ran northwesterly to the forty-second parallel, and from there directly west to the Pacific Ocean. By this provision the United States got all of Spain's claims to the Oregon country.<sup>10</sup> In return Florida was given to the United States for the stipulated sum of five million dollars. Spain actually received no money for Florida as the claims of American citizens against Spain amounted to five million dollars and more, so the money was paid to United States citizens. Spanish shipping was given preferential treatment in Florida for twelve years by the treaty and the inhabitants of the ceded territory, who were incorporated in the United States, were assured the free exercise of religion as long as they remained there. It was specifically stated in the treaty that Spanish troops were to be withdrawn and the exchange of flags made within six months after the ratification of the treaty was completed.<sup>11</sup>

The most controversial article of the treaty had to do with land grants, since most all of the Territory of Florida had been granted by the King of Spain to his friends just prior to the beginning of negotiations between Onís and Adams. If these grants remained valid, it meant that most of Florida would be in the hands of Spanish subjects despite her transfer to the United States. Hence the treaty was so arranged that all grants made after January 24, 1818, were to be null and void. The Spanish government protested vigorously because by that provision the Alagón, Punonrostro, and Vagas grants, the three largest in Florida, would be made void. When the treaty was

<sup>10</sup> T. A. Bailey, *Diplomatic History of the American People*, 173.

<sup>11</sup> Leslie A. Thompson, *A Manual or Digest of the Statute Law of the State of Florida, Including, Law of the United States Relative to the Government of the Territory of Florida*, 568-580. Cited hereafter as *Digest of Laws*.



## THE UNITED STATES ACQUIRES FLORIDA

finally ratified by Spain these three large grants became part of the public domain of the Territory of Florida.<sup>12</sup> Another article contained renunciations of claims by both the Spanish and the United States governments.<sup>13</sup>

Generally speaking, the treaty was not a total victory for either nation. Spain had been forced to cede her prized American possession and also to recognize American rights in the Oregon country, while the United States had surrendered claims on Texas, a territory supposedly bought from France in 1803 as part of the Louisiana Purchase. To the United States, however, the loss of Texas was minimized by the acquisition of Florida, and there was general satisfaction at the signing of the treaty. The purchase of Florida was regarded as a matter of national importance, because the newly acquired territory occupied a large portion of the southern coast line. Furthermore, the purchase removed an unfriendly neighbor from the very front door of a growing American nation. On March 3, 1819, the editor of *Niles' Register* endorsed the acquisition in the following words:

Florida has several very fine harbors, and with a respectable naval force, is appointed to command the trade of the Gulph of Mexico; the only superior point presented for this is the port of Havana, one of the best in the world. But the trade must pass within striking distance of Pensacola, St. Joseph's, the bay of Apalachicola, Tampa bay, Bocca Grande, or Charlotte Harbor, and perhaps several other places with which we are unacquainted; and when we reflect upon the vast rich territory which is watered by mighty streams falling into this gulph, we may partially calculate the present and future importance of its trade. . . . The political and commercial advantages to be derived from this acquisition, are of high consideration. It seems to give the command of the gulph—furnish us with the best ship timber in the world, which may

<sup>12</sup> Hunter Miller (ed), *Treaties and Other International Acts of the United States of America*, III, 50-51.

<sup>13</sup> L. A. Thompson, *Digest of Laws*, 568-580.





## FLORIDA DURING THE TERRITORIAL DAYS

easily be transported to any point desired—open a vast intercourse with the interior, and to afford, at no distant day, an inland communication from the Atlantic states to Louisiana—free from the Indian wars, and drive off scalp-dealing monsters from this quarter—make a valuable addition to our lands fitted to raise cotton and sugar, to which it is believed coffee will very soon be extensively added. . . .<sup>14</sup>

A few prominent Americans, however, who opposed the treaty, included William H. Crawford, Thomas Hart Benton, and Henry Clay. Crawford, Secretary of the Treasury, was politically jealous of the President and disliked to see anything contribute to the success of the Monroe administration. Benton, who for many years had been the champion of the West, argued that the western boundary line, as fixed by the treaty, cut off from the Mississippi River two of her most important tributaries. That fact tended to lessen the importance of the great river to the people of the American West. He felt also that Texas had been presented to Spain in exchange for Florida because of selfish and political reasons. Such action, he asserted, was taken to keep the question of slavery extension out of politics. Texas had loomed as a possible slave territory, but in the hands of a foreign power her fate was settled. Benton was forced to admit that he stood almost "solitary and alone in the matter." None of the newspapers in the United States shared his views.<sup>15</sup>

Henry Clay was the only other leading figure to oppose ratification of the treaty, and his stand, like that of Benton, was taken because of his great love for the West. "What do we get for Florida?" demanded Clay. "We got Florida loaded and encumbered with land grants which leave scarcely a foot of soil for the United States. What do we give? We give Texas free and unencumbered. We pay five million dollars and we surrender all our claims for damages not included in that five

<sup>14</sup> *Niles' Weekly Register*, XVI, 44.

<sup>15</sup> H. B. Fuller, *Purchase of Florida*, 322.



## THE UNITED STATES ACQUIRES FLORIDA

million dollars.”<sup>16</sup> Treaty supporters reasoned with Clay on the point that the United States’ claim on Texas had never really been settled, but Clay maintained that it had been in our possession since 1803, despite the fact that no definite western boundary line had been drawn. Florida he thought would fall into United States possession sooner or later anyway, because “ripened fruit will not more surely fall. Florida is enclosed between Georgia and Alabama, and cannot escape. Texas may.” Clay summed up his argument by insisting that Texas was worth a dozen Floridas to the United States.<sup>17</sup>

Adams attributed Clay’s opposition to ill treatment he had received from Congress, and not the personal dislike of the treaty. That body refused on February 8, 1819, to censure Jackson for his invasion of Florida in 1818, and Clay had made every effort to see that such action should pass the Congress. It was a stinging defeat for the Kentuckian, and Adams feared that Clay’s desire for revenge against the administration would lead him to do something drastic in order to block the ratification of the treaty, but such a counter-plot failed to take place. All opposition crumbled before the rising tide of approval, and the Adams-Onís treaty was ratified unanimously by the Senate on February 24, 1819.<sup>18</sup>

The treaty was received with mingled feelings in Spain. Carlos Martinez de Irujo, the foreign minister, was hostile to the United States and was anxious for an opportunity to show his ill feelings. Since it was through his office that ratification of the treaty took place, it is little wonder that favorable action on the document was delayed for a long while. King Ferdinand VII, however, seemed anxious that the treaty be ratified and he approved it at once. Onís was given the King’s congratulations, and by all the followers of the King the treaty-

<sup>16</sup> James Parton, *Life of Andrew Jackson*, II, 583. Cited hereafter as *Andrew Jackson*.

<sup>17</sup> James Parton, *Andrew Jackson*, II, 583.

<sup>18</sup> Philip Coolidge Brooks, *Diplomacy and the Borderlands*, 170.





maker was looked upon as a hero. The negotiations had saved Spain from a war with the United States and the rank and file of the Spanish people were grateful. But Irujo refused to let the King's approval take the place of a formal ratification; hence he submitted the treaty to the Council of State on May 1, 1819. The Council, under the control of Irujo, was greatly disturbed over the cession of Florida, and vowed that it had rather lose Florida by invasion than by cession. Irujo, receding somewhat from his bellicose attitude, reminded the Council that Texas had been saved by the negotiations, which, in a limited way, offset the loss of Florida. Onís, who was present at the time, argued that the terms of the treaty were the very best that he could obtain under the circumstances. Within a short time Irujo began to favor ratification, and a majority of the Council shifted with him; there was sufficient opposition, however, to cause final action to be postponed.<sup>19</sup>

Meanwhile President Monroe had taken the precaution to see that United States diplomatic forces in Spain were strengthened by sending John Forsyth, of Georgia, to Madrid to encourage ratification of the treaty. Secretary of State Adams disapproved Forsyth's appointment because he believed that George W. Erving, then serving in Spain, would ably represent the United States in seeking to get the treaty accepted. Adams contended that his political enemy, William H. Crawford, was responsible for Forsyth's appointment. Furthermore Forsyth was a misfit in his new role. In the first place he had no knowledge of the Spanish language and, said Adams, he "had neither the experience, nor the prudence, nor the sincerity, nor the delicacy of sentiment suited for such a station."<sup>20</sup> Upon reaching Spain in May, 1819, Forsyth urged Irujo to set a specific date on which the ratification might take

<sup>19</sup> *Ibid.*, 174.

<sup>20</sup> *Ibid.*, 177.



## THE UNITED STATES ACQUIRES FLORIDA

place. Since the Council had not acted on the treaty, Irujo could do nothing; consequently he waited some time before answering Forsyth's note. Forsyth became impatient at the Spanish procrastination and sent another very heated note to the Spanish minister. This time a reply was given Forsyth, but still the ratification was held up. Forsyth's manner became over-bearing and he acted most inconsistently with the policies of a good diplomat. From the results he obtained, one is prone to believe that Forsyth aided the diplomatic efforts very little, if any.<sup>21</sup>

Sometime after Forsyth was appointed to the Spanish court, General Don Francisco Dionisio Vives was appointed by the Spanish government to fill the office in Washington recently vacated by Onís, who had returned to his native land. Vives' mission was similar to that of Forsyth in one sense, but entirely opposite in another. The Spanish envoy was instructed to keep America pacified while Madrid procrastinated over ratification. Vives did not take his post immediately, although the job of pacifying a people already indignant from an over-due treaty ratification was a pressing one. In the summer of 1819 it looked very much as if the two nations might still go to war over the Florida controversy. There was widespread feeling that the United States should seize Florida by force, and show Spain that the United States was the more powerful nation. Jackson strained at the leash for another military invasion of the peninsula, and Secretary of State Adams advocated a congressional act that would approve of another military invasion of Florida, and still another into Texas. President Monroe was the steadying influence in the group of angry officials; he advocated a mild policy in dealing with Spain. Another thing that helped to prevent war was the part played by France and England. Both countries asked the United States to take no

<sup>21</sup> H. B. Fuller, *Purchase of Florida*, 310.



## FLORIDA DURING THE TERRITORIAL DAYS

violent action; the United States heeded the request, but the American people continued to be indignant with Spain.<sup>22</sup> In October there was another flare-up, and all indications pointed to open hostilities between the two nations. Both were prepared for war, and Jackson was instructed to make ready for an attack on the forts in Florida; but again the temper of the two nations cooled off before the zero hour was reached.<sup>23</sup>

While bellicose attitudes were mounting in Spain and in the United States, the Spanish government steadily refused to ratify the treaty. Irujo was dismissed from the Council on June 13, 1819, and was even accused of being pro-American. This action showed a stiffening of the Spanish attitude against the treaty. The disposition of the Spanish land grants, as provided for in the treaty, and the sympathetic attitude of Monroe's administration toward the Spanish rebels deepened and widened the chasm between Spain and the United States.<sup>24</sup>

Finally, on December 16, 1819, the Spanish government announced that General Vives would soon arrive in the United States with authority to compromise with the government in Washington on several points. The President and the Congress decided to await the arrival of Vives before taking any definite action against the Spanish nation. The envoy did not arrive in this country until April 7, 1820, by which time the officials of the United States had become most impatient.<sup>25</sup> The administration leaders had determined that no compromise in the treaty would be accepted, and the Spanish official was notified to that effect shortly after his arrival. In a note to the Secretary of State on April 14, Vives offered Spanish ratification of the treaty on three conditions: first, that the United States deal harshly with any privateers aiding the rebel Spanish colo-

<sup>22</sup> *Ibid.*, 313.

<sup>23</sup> C. C. Griffin, *United States and the Disruption of the Spanish Empire*,

<sup>24</sup> *Ibid.*

<sup>24</sup> *Ibid.*, 201.

<sup>25</sup> *Ibid.*, 221.





## THE UNITED STATES ACQUIRES FLORIDA

nies; second, that the United States guarantee the integrity of the Spanish possessions in South America; and, third, that the United States promise not to recognize any of the rebel Spanish colonies. The Spanish offer met with a blunt "no" from Secretary of State Adams, and the question of ratification was as far from being settled as it had been the year before.<sup>26</sup>

Meanwhile a series of events had taken place in Spain that led to a more favorable attitude toward the treaty. A liberal movement had spread throughout the country; a revolution took place; a new constitution was drawn up that the King was forced to accept on March 7, 1820. The powers of the King were minimized, and the assembly known as the Cortes was reorganized. The Minister of State of the new government was Evaristo Perez de Castro, and in his hands the newly formed Cortes placed the fate of the treaty's ratification.<sup>27</sup>

Realizing the need of impressing the new government, the United States informed the Spanish minister on his arrival that unless there was an immediate ratification of the treaty United States military occupation of both Florida and Texas would take place. This terse statement stirred Spain to action, and the minister asked for time to put the new government in operation so that an answer could be given. President Monroe asked Congress to give the new government time for action, which he felt would be favorable to the United States. The Cortes was organized in July, and a committee from that body was appointed to study the treaty and make a report. On September 30, 1820, the committee recommended ratification, and the Cortes acted favorably on October 5.<sup>28</sup> The King fixed his name to the treaty on October 24, and official notice that Spain had ratified the treaty was hurried to Washington. The patience of both President Monroe and General Jackson was

<sup>26</sup> P. C. Brooks, *Diplomacy and the Borderlands*, 187.

<sup>27</sup> *Ibid.*, 221.

<sup>28</sup> Dexter Perkins, "John Quincy Adams," in S. F. Bemis, *American Secretaries of State*, IV, 34.



nearly exhausted, and the good news brought much relief and comfort. The two years of delay by Spain had made null and void the United States' ratification, so on February 22, 1821, exactly two years after it was first ratified, the treaty of cession was ratified a second time by the Senate of the United States. Four votes were cast against ratification, whereas the vote in 1819 had been unanimous. Senator Benton of Missouri led the opposition, as he had done two years earlier.<sup>29</sup>

When the treaty was finally ratified, England appeared greatly disturbed over the acquisition of the Floridas by the United States. She then realized that the United States would become her rival for Caribbean commerce. England had hoped that through peaceful bargaining Florida might remain in the possession of Spain, but neither Liverpool nor Castlereagh, English political leaders, openly opposed the treaty; they valued peaceful relations with the United States too highly for that. Under cover, however, England had been anxious to see the treaty fail, and had offered encouragement to the party in Spain which fought against ratification.<sup>30</sup> The English were well versed in the game of diplomacy.

The acquisition of Florida was hailed by the *National Intelligencer* as "an event among the most important in the annals of our history since 1803."<sup>31</sup> People throughout the nation applauded the work of Adams, Monroe, Forsyth, and others in negotiating a "purchase" that gave the United States such an important possession; little did they realize how nearly the nation had come to being engulfed in a hostile struggle over the treaty itself. Spain had not intended to surrender Florida, but manifest destiny was on the march in the United States and would not be denied.

<sup>29</sup> James Parton, *Andrew Jackson*, II, 583. Also account found in C. C. Griffin, *United States and the Disruption of the Spanish Empire*, 242.

<sup>30</sup> P. C. Brooks, *Diplomacy and the Borderlands*, 180.

<sup>31</sup> *National Intelligencer*, April 7, 1821.





## *Chapter II:* NEW LIFE ON OLD SOIL

IN THE ACQUISITION OF FLORIDA, TERRITORIAL UNITED STATES had been increased by more than fifty thousand square miles. Very soon the task of breathing American life into this newly acquired section was begun. Florida's institutions, her customs, and her habits had all been derived from the Spanish, and her leading citizens were former Spanish subjects. There were two governments in the peninsula: East Florida centered in St. Augustine, and West Florida centered in Pensacola. According to the treaty of cession these governments were to be delivered to proper persons, representing the United States government, within six months, or sooner, after the ratification of the treaty by the United States Senate.<sup>1</sup>

The United States government entrusted the responsibility of taking control of the Floridas upon the change of flags to General Andrew Jackson, who had made himself quite famous by his earlier military escapades in the Territory. Jackson had made many enemies by his ruthless tactics and methods of dealing with the inhabitants of Florida. His policy had been one of force against the peoples who were disturbing the peace of the United States. But there was no other man in either military or civil life who understood the Florida situation as well as he. Despite his many enemies, there was a feeling among the higher officials of the country that Jackson should be given the appointment of military governor of the Floridas as quickly as the change of flags could be made.

<sup>1</sup> *Niles' Weekly Register*, XX, 44.



## FLORIDA DURING THE TERRITORIAL DAYS

President Monroe had asked Jackson to accept the appointment before the final ratification of the treaty by the United States had taken place. The President's letter to Jackson, dated January 24, 1821, reads in part as follows:

. . . We expect daily the treaty from Spain ceding Florida, ratified by her govt. In that event, will you accept the govt. of the territory? The climate will suit you, and it will give me pleasure to place you in that trust. Let me hear from you as soon as possible, as the arrangements must be made, during the present session of Congress, which will terminate as you know, on the 3rd of march. You declined it when I saw you [in 1819] but perhaps further reflection may reconcile the measure to you. With the best regards of my whole family to you and mrs. Jackson I am sincerely your friend and servant.<sup>2</sup>

In this matter Jackson tried to follow the dictates of his own conscience and also the advice of his friends; consequently he changed his mind a number of times. Jackson considered himself an old man, and he was by no means in the best of health. Another factor to be considered was the political repercussions which his acceptance of the governorship might bring throughout the country. Finally on February 11, 1821, Jackson wrote President Monroe from the Hermitage near Nashville signifying his willingness to accept the responsibility.

He said:

I am pleased to learn that our treaty with Spain is ratified by her Government. This with proper means, will afford ample security to the lower country. You ask me, if I will accept the Government of this important Territory? I sincerely thank you for the friendly manner you have regarded me, and the confidence you repose in me by this offer. Actuated from a belief that my services, would not much avail the public good, nor materially benefit your administration, I first determined not to accept it; but from the solicitations of my friends at the City [Washington] as well as here, strongly urging a

<sup>2</sup> John Spencer Bassett (ed), *Correspondence of Andrew Jackson*, III, 38. Cited hereafter as *Jackson Correspondence*.



## NEW LIFE ON OLD SOIL

conviction that my acceptance of the appointment, would quicken the organization of the government, and tend to draw to that Country a respectable population, I have determined to accept it provided it will answer your views, that I may resign as soon as the Government is organized and in full operation. If the appointment is given me my private concerns will require this course. My means are not competent to bear the expenses necessary to execute the Government of that Territory for any length of time My fortune and constitution have already been much impaired in the service of my country, and although a prejudiced world may now say, the Seminole campaign was but a struggle for the present appointment, yet will I go on, and devote what remains of my strength to its best interests, and in the midst of retirement and unsullied conscience will bid me pray for its happiness and raise my feeble voice in its behalf.<sup>3</sup>

After writing the above letter, Jackson began to feel that he had made a hasty decision, and expressed the hope that his letter of acceptance would reach the President too late for a Senate confirmation. Jackson seemed to have an intuition that it would not be best for him to take the governorship. On March 1, 1821, he wrote from the Hermitage to Brigadier-General John Coffee as follows:

. . . if these letters [accepting the appointment written in February] gets on before the President is compelled to make the nomination I will receive the appointment, my hopes are that the letters will not reach there before the 3rd of March, they cannot before the first, for I assure you it will be with great reluctance I will go to that country in the capacity of governor, a few days will decide this question. . . .<sup>4</sup>

But Jackson's letter of acceptance was received on schedule time, and the appointment was confirmed by the Senate on March 3. Jackson was notified of his new responsibility on March 12, 1821, by Secretary of State John Quincy Adams.

<sup>3</sup> *Ibid.*, III, 39.

<sup>4</sup> *Ibid.*, III, 41.





## FLORIDA DURING THE TERRITORIAL DAYS

The appointment carried with it three commissions. The first was a commission to receive and to take into the possession of the United States the provinces of East and West Florida. The second was the full responsibility of organizing the government of the two Floridas. And the third vested in him special powers for putting the treaty into effect. In short, the job given to Jackson was a tremendous one, one in which he was responsible for injecting American life into the new Territory.<sup>5</sup>

Jackson's commission, as governor of Florida, authorized him "to exercise all the powers and authorities heretofore exercised by the Governor and Captain-General and Intendent of Cuba," as well as the duties performed by the governors of East and West Florida. The duties of those officials were wide and undefined. Jackson could collect any new tax he saw fit to levy, or confirm any land claims which might be unsettled. His salary was set at \$5,000.00 per year with an added expense account in Washington, in case a supplement was needed. Ten other officers were immediately appointed by President Monroe to serve in the Territory with Jackson. They were two judges, two district attorneys, two secretaries, three collectors, and one marshall. Jackson had expected to fill these appointments himself, and rightfully he should have been given that privilege, but the President took the liberty to do so himself. There was little appointive power left for Jackson and, being accustomed to his own way, he deeply resented the step taken by Monroe. So displeased was he that he resolved to resign the governorship just as soon as he could accept the government from the Spanish authorities and make the Territory American. He felt that Monroe had not treated him fairly, and Mrs. Jackson asserted that this was the chief reason the General was never happy at his job in Florida.<sup>6</sup>

At the same time that Monroe was making the Florida ap-

<sup>5</sup> *Ibid.*, III, 42.

<sup>6</sup> James Parton, *Andrew Jackson*, II, 590.



pointments, he set in motion the program which would ultimately bring the newly acquired Territory into the American fold. He appointed Colonel James G. Forbes as a special envoy to visit Cuba and bring back from the governor of that colony an order for the delivery of the Floridas. The Governor of Cuba was, in effect, in authority over the governors of the two Floridas, and it was by him that the governments were to be advised officially when to vacate the province. Forbes was also commissioned to secure from the Spanish authorities all the archives and documents which related directly to the property and to the sovereignty of Florida. He sailed for Cuba on the frigate *Hornet*, reaching Havana on April 22, where he was conspicuously ignored by the Cuban officials for six weeks.<sup>7</sup> Governor-General Nicholas Mahy used every form of procrastination possible in delaying the transfer. He received Forbes on several occasions, but each time with little results. Probably he determined to delay as long as possible so that all the inhabitants would have an opportunity to leave the province under Spanish protection. Finally, on May 26, 1821, after three months had passed, Mahy told Forbes that he was ready to give him the order for delivery. He assured Forbes in an apologetic manner that the delay was not his fault; but by that time Forbes had formed his opinion, and so had many other Americans.<sup>8</sup> On May 30 Forbes sailed for Pensacola with the order for the delivery of the Floridas in his possession. The Spanish still had three months to kill.<sup>9</sup>

Meanwhile Jackson was making ready to leave the Hermitage for Pensacola, where he would receive the government in the name of the United States. He left on April 18, 1821, accompanied by Mrs. Jackson and their two adopted sons, one of whom was his nephew, Andrew Jackson Donelson.

<sup>7</sup> Rowland H. Rerick, *Memoirs of Florida*, I, 142. Hereafter cited as *Memoirs*.

<sup>8</sup> Mahy to Forbes, May 26, 1821, Florida Territorial Papers.

<sup>9</sup> R. H. Rerick, *Memoirs*, I, 142.





## FLORIDA DURING THE TERRITORIAL DAYS

They arrived in New Orleans via boat eight days later, going from there to Blakely on Mobile Bay for nine days, and then to Montpelier, Alabama, where they were forced to remain for five weeks, awaiting the arrival of General Forbes from Cuba.<sup>10</sup> The necessity of awaiting the Cuban official's pleasure was anything but pleasing to Jackson, who had always been very short on patience. The delay was irksome as well as tiresome for the troops who were with him. He maintained the peace, however, but took the opportunity while waiting at Montpelier to write Don José Callava, the Governor of West Florida in Pensacola, telling him that he hoped a quick transfer could be made as soon as Forbes arrived from Cuba. He also told Callava that he wished "to maintain the most perfect harmony between us," and carry into effect the stipulations of the treaty on the best of terms. Governor Callava replied in a most friendly manner, giving Jackson the impression that no trouble or delay on his part would be forthcoming.<sup>11</sup> Another thing that required Jackson's attention during the long wait for Forbes was his correspondence with President Monroe. Apparently the President was concerned over whether or not Jackson had enough patience to carry through his orders. Hence President Monroe kept close check on him and tried to encourage him. One of the letters to Jackson written by Monroe on May 23 explained fully his commission. In part, he said:

... I have full confidence that your appointment will be immediately and most beneficially felt. Smugglers and slave traders will hide their heads, pirates will disappear, and the Seminoles cease to give us any trouble. So effectual will the impression be, that I think, the recollection of your past services, will sooth your way as to the future. Past experience shows that neither of us are without enemies. If you still have any, as may be presumed, they will watch your movements, hoping to find some inadvertant circumstance to turn against

<sup>10</sup> James Parton, *Andrew Jackson*, II, 595-597.

<sup>11</sup> J. S. Bassett (ed), *Jackson Correspondence*, III, 51-54.



## NEW LIFE ON OLD SOIL

you. Be therefore on your guard. Your country indulges no such feeling. From it you will find a liberal confidence and a generous support. . . .<sup>12</sup>

Despite the warm feelings always expressed by the President for him, Jackson was never completely reconciled to the loss of the appointive power in the Territory which Monroe had taken for himself. It made a difference in their relations.

Upon the arrival of Forbes from Havana about the middle of June, Jackson and his troops left Montpelier and moved within fifteen miles of Pensacola, arriving June 21. Here Jackson hoped to receive Forbes immediately, and quickly to work out plans for the final delivery of the city from Callava. He saw no need for further delay, but hoped that the change of flags might take place within less than a week. So sure was Jackson that the day of the delivery had arrived that he sent Mrs. Jackson and the two boys into Pensacola, where they took residence under the protection of John C. Bronough, a good friend of the family. Friends of Jackson insisted that he too retire to the city with his troops and work out final details with Callava, but Jackson refused, despite his poor health, to go into the city until he could go in as governor. So he remained on the outskirts of Pensacola while attempting to deal with Callava.<sup>13</sup>

A second phase of Spanish procrastination began at this point, with Governor Callava responsible for the delay. He refused to see Jackson even after the order from Havana arrived, saying that he was in poor health and not able to transact business. Jackson reminded him that he too was in poor health, and that most of all his patience was fast becoming exhausted. Delay, however, seemed to be part of the Spanish policy. Heated notes were passed back and forth between the two men. Finally, when Jackson was on the verge of marching into

<sup>12</sup> Monroe to Jackson, May 23, 1821, Monroe Papers.

<sup>13</sup> James Parton, *Andrew Jackson*, II, 600.



## FLORIDA DURING THE TERRITORIAL DAYS

the city by force and seizing it, Callava gave in and received him in a more friendly manner. Jackson, his temper almost at the boiling point, marched into Pensacola on July 17, 1821, and Florida formally became a Territory of the United States.<sup>14</sup>

The day was one of much celebration. The whole town was in a state of festivity and the streets were gaily decorated. At ten o'clock in the morning General Jackson and Governor Callava marched through a double column of soldiers representing both nations into the government-house where the transaction took place. As they retired from the government-house, the Spanish flag was lowered and the American flag was raised amid cheers from the American populace. The regimental band played the Star Spangled Banner at the close of the ceremony. The troops made a very impressive martial appearance. Mingled with the gaiety among the Americans was the sadness of the Spanish, for they hated to see their homes and their interests transferred into American hands. A large number went to Havana, leaving only a few to uphold Spanish tradition under the new regime.<sup>15</sup> Mrs. Jackson described the change of flags, and the effect upon the people to a friend in a letter dated July 23. She said:

Oh how they [people of Pensacola] burst into tears to see the last ray of hope departed of their devoted city and country—delivering up the keys of the archives, the vessels lying at anchor, in full view, to waft them to their distant port [Havana]. Next morning they set sail under convoy of the Hornet, sloop of war, Anne Maria, and the Tom Shields. How did the city sit solitary and mourn. Never did my heart feel more for any people. Being present, I entered immediately into their feelings. Their manners, laws, customs all changed, and really a change was necessary. . . .

Mrs. Jackson was at first horrified at the low tone of morals and the evil ways of life among the Spanish in Pensacola and,

<sup>14</sup> R. H. Rerick, *Memoirs*, I, 142.

<sup>15</sup> James Parton, *Andrew Jackson*, II, 601-602.





being a deeply religious woman herself, she set about to correct many of the evil practices. Her efforts were rewarded to a certain extent, for through personal contacts and the sponsoring of religious services, she was able to bring about profound changes among the Spanish who were left in Pensacola.<sup>16</sup>

Jackson lost no time in putting several ordinances of American practice into effect in the city. He also assumed the authority to appoint Henry M. Brackenridge, whom he had met on his trip down to Pensacola, the *alcalde* of Pensacola. Brackenridge was asked to investigate first of all the Spanish political system that had existed in Pensacola, and to make a report to Jackson on the function of the officers. He made the investigation and found that the duties of the *alcalde* were very numerous. Next to the governor himself, the *alcalde* was the most important officer in the city, exercising the functions of a mayor, a chief of police, sheriff, superintendent and inspector of prisons, and notary public. To all these duties Brackenridge gave his attention.<sup>17</sup> In addition to the appointment of Brackenridge, Jackson made provision for the registration of all Spanish or other aliens who desired to become citizens of the United States. If their names remained on the roll book for twelve months, Jackson promised to consider them citizens, but this ordinance was annulled by Congress early in 1822 on the ground that such power could be exercised only by the national legislative body.<sup>18</sup> Among the leading figures who remained in Pensacola after the change of flags was former Governor Callava. He remained, so he said, for the purpose of acting as Spanish commissioner in Pensacola, and to supervise the embarkation of artillery, as well as look after other unfinished Spanish business. His presence was not welcomed by Jackson, who cared little for the Spanish in general, and less for this

<sup>16</sup> *Ibid.*, II, 604.

<sup>17</sup> David Y. Thomas, *History of Military Government in Newly Acquired Territory of the United States*, 69. Cited hereafter as *Military Government in Territory*.

<sup>18</sup> *Ibid.*, 94.



## FLORIDA DURING THE TERRITORIAL DAYS

particular Spaniard because of his dilatory conduct prior to July 17. Others, however, liked Callava. He made a favorable impression on the incoming Americans, as he had commanded the respect of the outgoing Spanish. His character was a respectable one. Of the Castilian race and possessing a light complexion, he was handsome, well known, dignified, and very refined. But he remained a stumbling block for Jackson.<sup>19</sup>

A change of flags ceremony was held in St. Augustine for East Florida as well as in Pensacola, since the provinces were ruled by two separate Spanish governors. Jackson, who became military governor of both provinces, planned to have a secretary of East Florida and one of West Florida. The secretary for East Florida was to reside in St. Augustine, and have administrative control over affairs in that province, while the secretary for West Florida was to reside in Pensacola and have the same authority in his particular province. Both secretaries were subject to Jackson who, in general, outlined the policies for East and West Florida. The secretary for West Florida was George Walton, an outstanding Georgian, who immediately took over his duties at Pensacola. President Monroe appointed William G. D. Worthington secretary for East Florida, but the secretary was late arriving in the ancient city to take over his duties. Jackson sent Colonel Robert Butler, a close friend, to St. Augustine to accept East Florida from the Spanish. Butler arrived in St. Augustine in May, but had to wait for the order of delivery, just as Jackson had had to wait in Pensacola. The Spanish Governor, Don José Coppinger, was more cooperative than Callava, however, and East Florida was formally delivered into American hands on July 10, 1821, one week prior to the delivery of West Florida.<sup>20</sup>

The ceremony which took place in St. Augustine was not as colorful as that which followed a week later at Pensacola. The

<sup>19</sup> James Parton, *Andrew Jackson*, II, 614.

<sup>20</sup> D. Y. Thomas, *Military Government in Territory*, 66.





## NEW LIFE ON OLD SOIL

Spanish troops vacated old St. Marks (Fort Marion) on July 9, and were ready to leave St. Augustine the following day. As the Spanish flag was lowered over the city a salute was fired, and a similar honor was paid the American flag as it was raised. Butler handled the transfer in a very orderly fashion. On the following day, he commissioned John R. Bell to take control of the city since his own duties were over, and the newly appointed secretary had not arrived. Bell served as secretary of East Florida until the arrival of Worthington on August 17.<sup>21</sup> The East Florida government under the Spanish had been well organized and efficiently administered, and Governor Jackson hoped to have most of the officials retain their jobs after the American occupation. Many resignations followed the change of flags, however, and the government had to be reorganized with inexperienced office holders.<sup>22</sup>

The change of government in St. Augustine had sudden reverberations throughout East Florida. In the first place the Spanish alcalde, Juan Entralgo, refused to vacate his office or to take an oath of allegiance to the United States. Worthington probably would have allowed him to keep the office if he had taken the oath. Despite the appointment of an American, Edmund Law, to the alcaldeship, Entralgo continued to hold his office. Nor would he give up the archives which were in his possession. Finally, he was ousted from his office by force, much to the dissatisfaction of the Spanish. There was some trouble also over giving up the fortifications of the fort, but after repeated demands the guns were surrendered.<sup>23</sup>

The rush of American people into East Florida was displeasing to the slowly leaving Spanish. The entry of the Americans was a source of disturbance, for they were, in many cases, arrogant and dictatorial toward the Spanish. Very few of the

<sup>21</sup> Worthington to Jackson, August 17, 1821. Florida Territorial Papers.

<sup>22</sup> D. Y. Thomas, *Military Government in Territory*, 71.

<sup>23</sup> *Ibid.*, 92.



## FLORIDA DURING THE TERRITORIAL DAYS

older inhabitants were satisfied with existing conditions. Even the Indians were disturbed over their standing with the American government, and rumblings of discontent were heard from all sections of the province. It was to be expected, however, that a short period of upheaval would follow the sudden change of government. Colonel Forbes described the conditions to Secretary of State Adams in a letter dated St. Augustine, August 18, 1821. In it he said:

I will venture to assert on this occasion that there never was a period when law with its intricacies could be less salutary in this country, than at the present; when inundation, consequent sickness, and general distress seems to pervade most classes of the miserable population now residing in it. . . .<sup>24</sup>

As time passed these conditions improved throughout the Territory, and friendly relations were reestablished with Spain. Congress took steps to encourage trade with that country by allowing Spanish ships to bring their goods to St. Augustine and to Pensacola at the same duties paid by ships from ports in the United States. St. Augustine, Pensacola, and St. Marks had been previously designated as ports of entry.<sup>25</sup>

Meanwhile Jackson was having trouble in Pensacola. In the first place he distrusted the Spanish and lived in suspicion of those who remained after the change of flags. In the second place he refused to work in harmony with the appointees sent to Florida by Monroe, since he wished to favor several of his friends with appointments in Florida. Jackson had no ill feeling against either Walton or Worthington, but he would have appointed neither of them had he been allowed to make the nominations. It is certain that Richard Keith Call would have received one of the places.<sup>26</sup>

The Monroe appointee with whom General Jackson had

<sup>24</sup> Forbes to Adams, August 18, 1821, Florida Territorial Papers.

<sup>25</sup> *Annals of Congress*, 17 Congress, 1 Session, III, 2483.

<sup>26</sup> MSS, Richard Keith Call Journal, 247.



## NEW LIFE ON OLD SOIL

most trouble was Elijas Fromentin, United States Judge of West Florida, who had come to Florida from Louisiana.<sup>27</sup> The judge strongly favored the Spanish in most cases, thereby incurring Jackson's enmity from the start.

A particular incident which involved Fromentin and Jackson in a verbal duel occurred when Jackson ruthlessly attacked Callava, the former Spanish Governor of West Florida. Fromentin, as at all other times, defended the Spaniard. The trouble began on August 21, 1821, when Henry Brackenridge, alcalde of Pensacola, informed Jackson that he suspected a Spaniard named Domingo Sousa of having in his possession some important documents relating to estates which rightfully belonged to the alcalde's office. Since all such documents had been called for and were supposed to have been delivered, Jackson took steps to have them taken from Sousa.<sup>28</sup> A commission composed of George Walton and a Colonel Miller was appointed by the governor to call on Sousa and request the documents. When the two commissioners went to Sousa's home on the morning of August 21, he brought forth two boxes containing a considerable amount of papers, but would not give either box to the commissioners. He said that the boxes had been intrusted to him by former Governor Callava, and that he had no authority to let them leave his possession. Jackson then had Walton and Miller bring Sousa before him, but the Spanish still refused to deliver the boxes of documents. He then maintained that he had sent the boxes directly to Callava. Late in the afternoon of the same day, Robert Butler and John Bronough were sent to Callava's home for the documents. They found him well guarded by Spanish officers. Callava spoke frankly and strongly, telling Jackson's messengers that the documents rightfully belonged to the Spanish and that no power could make him give them over. He insisted that his

<sup>27</sup> Adams to Fromentin, June 27, 1821, State Department Domestic Letters.

<sup>28</sup> D. Y. Thomas, *Military Government in Territory*, 82.





## FLORIDA DURING THE TERRITORIAL DAYS

powers as commissioner of the Spanish government were still in force, and that he had the authority to hold the documents.<sup>29</sup>

When informed of Callava's adamant attitude, Jackson flew into a rage. Of all the Spanish in America, Callava could most easily arouse the indignation of Jackson. Immediately a guard under the command of Brackenridge and Butler was ordered to Callava's home with instructions to use force if necessary in securing the documents. The guard broke into the house and carried Callava by physical force to the office of Jackson, where the two men swapped angry words. Callava continued to refuse Jackson's requests for the documents, and was thrown into jail. His house was searched and the documents were found and deposited in the governor's office under guard. An order was then given for Callava's release.<sup>30</sup>

Judge Fromentin came into the argument when Callava was thrown into jail by Jackson. Several leading Spaniards were sorely grieved at the way their former governor had been treated and they hastened to Fromentin for a habeas corpus, which Judge Fromentin gladly issued for Callava. Instead of going directly to the alcalde with the writ and asking him to deliver up the prisoner, the aide who served the writ handed the habeas corpus to Jackson himself. Jackson was enraged at the mere thought of a subordinate taking such action. He had been waiting for an opportunity to show his displeasure at Monroe's appointment of Fromentin. His opportunity had at last come. He minced no words with the Judge over a subordinate's loyalty to a superior. Fromentin responded to the General, and Pensacola witnessed a most violent personal controversy. Simultaneously with the issuance of the writ by the Judge, Callava was released from prison by command of Jackson, but the insult had already been done. The news of the trouble spread far and wide, and Jackson became the subject of

<sup>29</sup> *National Intelligencer*, September 23, 1821.

<sup>30</sup> *Niles' Weekly Register*, XXI, 150.



much criticism all over the nation, not only for his feud with Fromentin, but also for his hasty action in dealing with Callava.<sup>31</sup>

Upon his release from jail, Callava hastened to Washington to lay the case before the Spanish minister and to give further adverse publicity to the affair. He swore that Jackson had him dragged to jail while he was ill and unable to protect himself. He also claimed Jackson used unfair methods in dealing with him by breaking into his house and taking the documents while he himself was helpless. His accusations against Jackson were many and harsh, but some of his story was offset by the fact that Callava was not immune from telling falsehoods and by the fact that he had earlier played the game of being sick when delaying Jackson's entrance into Pensacola. Nevertheless, Congress asked that an investigation be made of Jackson's conduct in Florida. Shortly thereafter Callava sailed for Cuba, never to return to the United States. This latter fact was very pleasing to Jackson, but Fromentin remained in Florida to give the governor trouble.<sup>32</sup>

Before the storm of controversy broke over Jackson's head he had seriously considered offering Monroe his resignation from the governorship. He decided, however, to visit the Hermitage near Nashville, where he might think the matter through. He wrote President Monroe from Pensacola on October 5 as follows:

. . . Having organized the government of the Floridas, and it being now in full operation, I have determined to take a little respite from the laborous duties with which I have been surrounded, and leave the charge of the Floridas to the Secretaries appointed for the same. This becomes necessary, as Mrs. Jackson is anxious to return home, and the situation of her health requires that she should pass through the newly set-

<sup>31</sup> *National Intelligencer*, October 17, 1821.

<sup>32</sup> J. S. Bassett (ed), *Jackson Correspondence*, III, 131.





## FLORIDA DURING THE TERRITORIAL DAYS

tled country before inclement weather sets in. She and my family will leave this on the 7th. . . .

Worthington and Walton were left in charge of the government. Although Jackson intimated that he would return if he were needed, very few people in Pensacola believed that he would ever return in his official capacity.<sup>33</sup>

After remaining at home for a few weeks, Jackson was convinced that he should not return to Florida and on November 14, 1821, he wrote as follows to President Monroe:

. . . I can only observe for the present that I am truly wearied of public life, I want rest and my private concerns imperiously demand my attention. It is true my duties have been laborious and my situation exposed me to heavy expense which makes it more necessary that I should retire to resuscitate my declining fortune to inable it to support me in my declining years. Doctr. Bronaugh carries to you my resignation which I hope you will accept at as an early a period as your convenience will admit. . . .<sup>34</sup>

Monroe accepted the resignation on December 31, 1821, and wrote the General a letter of thanks and appreciation for his splendid service in Florida.<sup>35</sup> But at this point the criticism over the Callava affair began to reach Jackson at the Hermitage. Upon learning that the House of Representatives had begun an investigation into the matter, Jackson immediately asked President Monroe to withhold the resignation if it were possible until the final investigation had been made; but the resignation had already been accepted. Jackson did not want the public to think that he had resigned to escape the censure which might follow.<sup>36</sup> Since he was out of office at the time,

<sup>33</sup> *Ibid.*, III, 122.

<sup>34</sup> *Ibid.*, III, 129.

<sup>35</sup> Jackson to Monroe, December 31, 1821, State Department Domestic Letters.

<sup>36</sup> J. S. Bassett (ed), *Jackson Correspondence*, III, 143.



however, the matter soon blew over, and the investigation was never completed.

Thus ended Jackson's short military governorship in Florida, but he had done what he promised Monroe he would do. He had organized the Territory into two separate governments, on the same pattern that had been used by the Spanish government. He had issued many ordinances and set many precedents, all of which was a step toward Americanizing the Spanish territory. He divided the Territory into two counties, Escambia and St. Johns; he established county courts, and provided for trial by jury.<sup>37</sup> Probably his greatest contribution to Florida was the stern methods he used in dealing with the Spanish. Had he not used such methods, Spanish customs, habits, and traditions would probably be much stronger in Florida today than they are. The Spanish feared Jackson because of his treatment of Callava, Fromentin, and other officials who crossed him. One night when a big fire was raging in the business section of Pensacola, and while many Spanish spectators stood by looking on, Jackson rushed to the scene and yelled fiercely for help from the spectators. The crowd, seeing Jackson, but not understanding his thunderous command, fled to their respective homes in fright, leaving the governor as the sole spectator at the fire. They, no doubt, had heard of his furious disposition.<sup>38</sup>

Within three months' time Jackson turned Florida toward the American way of life. New settlers came to take the place of the evacuated Spanish inhabitants. They began to build homes, till the soil, and rear their families. Florida still had a long route to travel, but her start was a good one.

<sup>37</sup> D. Y. Thomas, *Military Government in Territory*, 69.

<sup>38</sup> *Ibid.*, 96.



### *Chapter III:*    GOVERNMENT AND POLITICS

THE GOVERNMENT OF THE TERRITORY OF FLORIDA WAS NOT A static institution. From the day of its inauguration in March, 1822, until it was displaced by a new state government in March, 1845, many changes were made in its functions, but its structure remained the same. Year after year the organic law of the Territory was amended by Congress, so as to give the people more voice in the government, and from time to time the Legislative Council was given more and broader powers. Every extension of self-government was cautiously made, thereby lessening the possibility of confusion or inefficiency in the governmental setup. The organic law, passed by Congress on March 30, 1822, provided for three branches of government: an executive, a legislative, and a judicial department.<sup>1</sup>

The executive power was vested in a governor, the most influential individual in the government. The law provided that the governor

shall reside in the said Territory, and hold his office during the term of three years, unless sooner removed by the President of the United States. He shall be commander-in-chief of the militia of the said Territory, and be ex-officio, superintendent of Indian affairs, and shall have power to grant pardons for offences against said Territory, and reprieves for those against the United States, until the decision of the President of the United States thereon shall be made known, and to appoint and commission all officers, civil and of the militia, whose appointments are not herein otherwise provided for, and which shall be established by law, he shall take care that the laws are faithfully executed. And be it further enacted, that a secretary of the Territory shall be appointed, who shall hold his office during a term of four years, unless sooner removed by the President of the United States, whose duty it

<sup>1</sup> *Annals of Congress*, 17 Congress, 1 Session, II, 2578 ff.





## GOVERNMENT AND POLITICS

shall be, under the direction of the Governor, to record and preserve all the papers and proceedings of the Executive and all the acts of the Governor and the Legislative Council, and transmit authentic copies of the proceedings of the Governor, in his Executive department, every six months to the President of the United States.<sup>2</sup>

The Legislative Council, from time to time, gave the governor certain duties not included in the act of Congress. For instance the rights to arrest criminals, to call out the militia, to borrow money, to raise troops for defense, and to appoint militia officers were all given by the Council. The appointive power of the governor was greatly restricted from the beginning. Before the Territorial period ended, most of the Territorial officials were made elective by the people. Major appointments were made by the President by and with the consent of the Senate of the United States. The Territorial governors were appointed by the President. It was not necessary that a man be a resident of Florida in order to become governor of the Territory. Richard Keith Call, Robert Raymond Reid, and John Branch were residents when appointed; but William P. Duval and John H. Eaton were residents of Kentucky and Tennessee respectively.<sup>3</sup> The governors' terms

<sup>2</sup> *Ibid.*, 2578.

<sup>3</sup> The governors with their dates of commissions follow:

Andrew Jackson .....	March 10, 1821
William P. Duval .....	April 17, 1822
William P. Duval .....	March 8, 1825
William P. Duval .....	January 9, 1828
William P. Duval .....	April 18, 1831
William P. Duval .....	April 30, 1832
John H. Eaton .....	April 24, 1834
Richard Keith Call .....	March 16, 1836
Richard Keith Call .....	February 25, 1839
Robert Raymond Reid .....	December 2, 1839
Robert Raymond Reid .....	December 13, 1839
Richard Keith Call .....	March 19, 1841
Richard Keith Call .....	April 11, 1841
John Branch .....	August 11, 1844

List compiled from the index to Territorial Papers being edited by Clarence E. Carter.



## FLORIDA DURING THE TERRITORIAL DAYS

were of varying length, since the President had the power to withdraw or renew a commission at will. The governor's secretary also received appointment from the President.<sup>4</sup>

The legislative branch of the Territorial government expanded and developed more than the executive branch. The organic law of March 30, 1822, provided

That the legislative power shall be vested in the Governor and 13 of the most fit and discreet persons of the Territory, to be called the Legislative Council, who shall be appointed annually by the President of the United States, by and with the advice and consent of the said Legislative Council, or a majority of them, shall have power to alter, modify or repeal the laws which may be in force at commencement of this act. The legislative power shall also extend to all the rightful subjects of legislation; but no law shall be valid which is inconsistent with the Constitution and the laws of the United States, or which shall lay any person under restraint, burden or disability, on account of his religious opinions, professions or worship; in all which he shall be free to maintain his own, and not burdened with those of another. . . . The Legislative Council shall hold a session once in each year, commencing its first session on the second Monday of June next, at Pensacola, and continue in session not longer than two months;

<sup>4</sup> The list of secretaries follows:

George Walton (West Florida) .....	May 18, 1821
George Walton .....	April 25, 1822
George Walton .....	December 22, 1825
W. G. D. Worthington (East Florida) ....	May 18, 1821
William M. McCarty .....	March 3, 1827
James D. Wescott .....	June 15, 1829
James D. Wescott .....	March 25, 1830
George K. Walker .....	April 7, 1834
John P. Duval .....	May 17, 1837
John P. Duval .....	September 25, 1837
Joseph McCants .....	November 15, 1839
Joseph McCants .....	February 17, 1840
Thomas H. Duval .....	September 13, 1841

Compiled from the index to Territorial Papers.

John P. Duval was a younger brother of Governor William P. Duval; Thomas H. Duval was the second son of the Governor. Several members of the Duval family went to Florida to make their homes.





and thereafter, on the first Monday in May, in each and every year, but shall not continue longer in session than four weeks, to be held at such place in said Territory as the Governor and council shall direct. . . .<sup>5</sup>

Members of the first Legislative Council were appointed by the President, and on July 22, 1822, the first session convened. John C. Bronough, a well known resident of Pensacola, was elected president of the Council, and Joseph Coppinger Conner and Jabez N. Brown were made clerk and sergeant-at-arms respectively. Other members present at some time during the session were: Richard Keith Call, Edmund Law, John Miller, William Reynolds, Thomas Lytle, James R. Hanham, Greenberg Gaither, and George Murray. Hanham and Gaither from St. Augustine arrived after fifty-nine days on water and a very hazardous trip.<sup>6</sup> James Brackenridge and Joseph M. White had been appointed to the Council by the President, but resigned before the session began in order to accept other honors in the Territory. John de la Rue and Joseph Moreago accepted their places at the request of Governor Duval. Both were former Spanish subjects, but were men of integrity and information. Their presence in the Council improved to a marked degree the relations between the Spanish and the Americans in Pensacola.<sup>7</sup>

Gibson Macon, a member of the Council from St. Augustine, was not accounted for on the first day of the session. He was thought to have been lost en route.<sup>8</sup> Attendance at the first session of the Council was very irregular, and other than organization little was accomplished. Several committees were appointed to carry out recommendations made by the governor, but before they were able to report the yellow fever scourge invaded Pensacola and drove most of the population

<sup>5</sup> *Annals of Congress*, 17 Congress, 1 Session, II, 2578.

<sup>6</sup> *Pensacola Floridian*, July 27, 1822.

<sup>7</sup> *Ibid.*

<sup>8</sup> Duval to Adams, July 17, 1822, State Department Miscellaneous Letters.



## FLORIDA DURING THE TERRITORIAL DAYS

out of the city. John Bronough, president of the Council, fell victim to the disease as did many other councilmen. The Council retired to a farm on the outskirts of Pensacola, but adjourned after completing the organization of the Territory. The most important business transacted was the formation of two new counties: Duval, created from a part of St. Johns in East Florida, and Jackson, created from a part of Escambia County in West Florida.<sup>9</sup>

The second session of the Council assembled at St. Augustine on May 24, 1823, with the following members present: George Murray, William Reynolds, Richard Keith Call, C. W. Perpall, E. R. Gibson, W. H. Simmons, Peter Mitchel, John Bellamy, and Zephania Kingsley. Henry Yough, Octavius Mitchell, William Barnett, and Joseph Moreago reported later.<sup>10</sup> George Murray was made president for the session. The most important business transacted at the St. Augustine session was the agreement to select a site for a new capital somewhere between the two extremities of the Territory, St. Augustine and Pensacola. The need for a more centrally located capital was emphasized by the fact that the Pensacola delegation had spent twenty-eight days of frightful journey in reaching St. Augustine. The plan which was agreed upon resulted in the building of Tallahassee. Two new counties were also created by this session, Gadsden and Monroe.

The Council remained in session six weeks, two weeks longer than the four weeks prescribed by Congress. Hereafter the sessions varied from four to eight weeks in length, depending entirely upon the business to be transacted.<sup>11</sup>

Many interesting and significant events were connected with the first Legislative Council meeting in Tallahassee in 1824. In

<sup>9</sup> W. P. Bevis, "Legislative Information and Important Events Concerning Territorial Florida," Tallahassee Historical Society Annual, I (1934), 17.

<sup>10</sup> *Pensacola Floridian*, June 21, 1823.

<sup>11</sup> W. P. Bevis, "Legislative Information and Important Events Concerning Territorial Florida," *loc. cit.*, I, 18.



a veritable wilderness two hundred miles distant from both Pensacola and St. Augustine, the Council met in a rude log hut to legislate for the Territory. But that body had a feeling of satisfaction and pride in the fact that their new location made the task of legislation less difficult. Among some of the acts passed by the session of 1824 were laws to establish ferries over rivers, to incorporate churches and towns, and to build roads, highways, and canals. By 1825 the Council had found its place in the set-up of Territorial government.<sup>12</sup>

In 1826 the people of Florida were given the right by Congress to elect the members of the Legislative Council, a function which had been performed by the President of the United States since 1821. This act of Congress greatly extended democratic practices in Florida, and resulted in a decided change within the Council; the personnel became more popular with the people. By the act of Congress the governor and the Council were authorized to divide the Territory into thirteen equal districts, from which representatives were chosen.<sup>13</sup> Public interest in governmental affairs was quickened, and politics became more attractive to the younger generation.<sup>14</sup> The first election was held in 1826 and the old appointed Legislative Council gave way to the newly elective one.<sup>15</sup> The old order had given way to the new.

Other changes took place within the Council as the people became more accustomed to managing their own affairs. In 1829 the thirteen electoral districts in the Territory were abolished, and a law was passed which based the representation of the Council on the counties. Consequently, the Council grew in numbers as the counties were increased. The law provided that the more populous of the fifteen counties should have two representatives, but others had such small population that two

<sup>12</sup> *Pensacola Gazette*, January 15, 1825.

<sup>13</sup> L. A. Thompson, *Digest of Laws*, 597-601.

<sup>14</sup> *Pensacola Gazette*, May 25, 1827.

<sup>15</sup> *Florida Herald*, (St. Augustine), May 5, 1830.





## FLORIDA DURING THE TERRITORIAL DAYS

or more were combined and given one member in the Council.<sup>16</sup> On March 22, 1832, an additional delegate was allowed for Walton County, and on June 18, 1834, an act was passed which provided that from that date two delegates should be elected from Escambia, Jackson, Gadsden, Leon, Jefferson, and St. Johns Counties. All other counties were apportioned one delegate each.<sup>17</sup>

Not only were changes made in the number of representatives but several changes were also made in the time of meeting of the Council. In 1828 the regular time of assembly was shifted from December to October, but in 1830 an act provided that the annual meeting be held on the first Monday of January in each year. The October meeting of 1830 was postponed until the first Monday in January, 1831; hence there was no meeting in the former year.<sup>18</sup>

The last major change in the Legislative Council came in 1838. Colonel Charles Downing, the delegate to Congress, led the agitation which resulted in an act providing for a bicameral legislative body. A Senate and House of Representatives were created to take the place of the old Legislative Council. The new act met with the whole-hearted approval of the people of Florida. It marked another step toward complete democracy for the Territory; it also gave those who advocated

<sup>16</sup> The allotment was as follows:

Escambia .....	2 members
Walton and Washington .....	1 member
Jackson .....	2 members
Leon .....	2 members
Gadsden .....	2 members
Jefferson, Madison and Hamilton .....	1 member
Alachua .....	1 member
Duval .....	1 member
Nassau .....	1 member
St. Johns and Mosquito .....	2 members
Monroe .....	1 member

L. A. Thompson, *Digest of Laws*, 603-605.

<sup>17</sup> L. A. Thompson, *Digest of Laws*, 606-607.

<sup>18</sup> *Ibid.*, 605.



statehood hope that Florida might soon be admitted into the Union. The act provided that the House of Representatives should be chosen by the popular vote. It increased the number of representatives by allotting one each to Calhoun and Dade Counties, and an additional member to Duval County. The Senate consisted of eleven members, to be chosen from the several districts of the Territory. These senatorial districts were laid out identically with the judicial districts of the Territory, and were commonly called West Florida, East Florida, Middle Florida, and South Florida. Three members were to be elected from West Florida, four from Middle Florida, three from East Florida, and one from South Florida. The senators were to be chosen for a term of two years by the qualified voters within the counties of the various districts. The first election held under this act took place in October, 1838. The legislature was given authority to increase the size of the Senate to fifteen at some future date. The last provision in the act limited the sessions of the body to seventy-five days.<sup>19</sup> No other important change was made in the Territorial legislature after this time; it functioned efficiently and competently until its demise in 1845.

The first session of the Senate was held in January of 1839, at which time John Warren of St. Augustine was elected president. The other two representatives from East Florida were William J. Mills and Isaiah Hart. Middle Florida sent ex-Governor William P. Duval, William Bailey, James A. Berthelot, and Charles H. DuPont; the West Florida representation included George S. Hawkins, Ben D. Wright, and George Walker. William Marvin was the sole delegate from South Florida. E. L. Drake was selected as the first speaker of the House of Representatives.<sup>20</sup>

On the whole, the legislative body of Territorial Florida

<sup>19</sup> *Statutes at Large*, 25 Congress, 2 Session, 263.

<sup>20</sup> R. H. Rerick, *Memoirs*, I, 172; also *Journal of Proceedings of the Florida Senate*, 1 Session (1839), 5.





## FLORIDA DURING THE TERRITORIAL DAYS

was an important branch of the governmental set-up. The leading men of the Territory were usually included among its members, and though its laws and regulations were subject to veto by the Congress of the United States, this new legislature led the way in making many improvements and developments within Florida. The members of the Council did not devote all their time to the serious matters of government, however. The *Pensacola Gazette* of February 11, 1837, called attention to their social activities. It said:

The council will adjourn on tomorrow week. As usual, they will sit out the very last hour allowed by law—(six weeks at this time). The first part of the session is invariably devoted, not to the preparation of business, but to looking about the town and forming acquaintances; the consequence is, that nearly the whole of the business is crowded into the last few days of session.

The *Gazette* also emphasized the talent of the Council; praising especially the delegation from East Florida. David Levy and Joseph Fontaine were the St. Johns delegates, "the former, a young lawyer of much promise, a more than ordinary share of mind, considerable vigor in debate, and some industry." The *Gazette* further declared that "the representation from the East is, as usual, marked by a rather more ability than that from any other part of the Territory." <sup>21</sup>

The rapid increase of population and the economic development of the Territory emphasized the need for new counties. Since the Legislative Council was authorized to form new counties, there was hardly a session held which did not organize at least one additional county. In 1828 fourteen counties were either organized or had their boundaries altered by acts of the Council. They were Monroe, St. Johns, Alachua, Mosquito, Duval, Nassau, Gadsden, Escambia, Walton, Washing-

<sup>21</sup> *Pensacola Gazette*, February 11, 1837.



ton, Madison, Hamilton, Jefferson, and Leon.<sup>22</sup> During the Territorial period twenty-eight counties were formed by the Council. In making new counties and rearranging old boundaries sometimes much confusion resulted in local government. When Columbia County was formed, Newnansville, the county seat of Alachua County, was placed within the borders of the former county. A make-shift arrangement was resorted to until Alachua County could recover its county seat from Columbia, which it did by a special act of the Council in 1839. The house of Edward Dixon served as the Alachua County seat during the interim.<sup>23</sup>

The counties exercised very little governmental authority. At times commissioners were appointed by the courts for specific duties such as selecting a permanent seat of justice. The courts, however, exercised a great deal of authority within each county. Town government was organized according to the size and prominence of the locality. The board of aldermen were usually invested with executive and legislative authority. Charters for the counties and towns were granted by the Legislative Council.<sup>24</sup>

The Legislative Council had the power to grant divorces to estranged couples. The person desiring a divorce formulated a petition, giving all the information necessary for a decision in the case. The petition was presented to the Council, and, in the light of all evidence secured, the divorce was either granted or rejected. It was not always necessary for the petitioner to be present at the session. The petition presented to the Legislative Council by Esther Sparkman, asking for divorce from her husband, Lewis Sparkman, was typical. It read in part as follows: "After said Lewis Sparkman had subjected her (Esther Sparkman) to great hardship, privation, abuse and beating, and

<sup>22</sup> L. A. Thompson, *Digest of Laws*, 282.

<sup>23</sup> Fritz W. Buckholz, *History of Alachua County*, 60.

<sup>24</sup> *Journal of the Proceedings of the Legislative Council of Florida*, 10 Session (1832), 21; also Mae McCary, *History of Jefferson County*, 12.



## FLORIDA DURING THE TERRITORIAL DAYS

as a consequence thereof to much sickness and distress of mind, for the span of about two years as aforesaid he left her in bed, without protection, without help or comfort, or substance of any kind.”<sup>25</sup> The number of such petitions increased so rapidly that divorce cases became burdensome to the Council. A bill was, therefore, enacted in 1835 giving the superior courts jurisdiction in divorce cases. Nevertheless the Council continued to grant some divorces, though not as frequently as before the law was enacted.<sup>26</sup>

Though the people of the Territory were allowed to elect their delegate to Congress and their Legislative Council, they were never given the right to select their governor. Several times they tried through their congressional delegates to secure the right from Congress, but all efforts were unavailing. Despite the clamour of the people of the Territory, the President continued to appoint the governor. The land office also was administered by federal authorities. Practically all other rights of democratic self-government were won by the Legislative Council, however. Most of the people were keenly interested in the government, but not all of those who were eligible took advantage of the voting privilege. The suffrage, with some few exceptions, was bestowed upon all white male citizens of the United States, twenty-one years of age and above, who had resided in the Territory for three months before the election in which they proposed to vote.<sup>27</sup>

The judiciary in Florida dates back to the establishment of military rule in 1821. When Andrew Jackson effected the change of flags with the Spanish, the President of the United States appointed two United States judges, one for East Florida

<sup>25</sup> MSS, Petition from Esther Sparkman to Council, 1839.

<sup>26</sup> R. H. Rerick, *Memoirs*, II, 70; also *Journal of the Proceedings of the Legislative Council of Florida*, 13 Session, (1835), 14.

<sup>27</sup> *Pensacola Gazette*, May 2, 1829; also John P. Duval, *Compilation of the Public Acts of the Legislative Council of the Territory of Florida, passed prior to 1840*, 205. Cited hereafter as *Compilation of Florida Territorial Laws*.





and one for West Florida. Elijas Fromentin, of New Orleans, was commissioned the first judge of the West Florida district with Alexander Anderson as the attorney for his jurisdiction, and William P. Duval was given the judgeship in East Florida with John C. Byrd, of Georgia, as his attorney. These two judges functioned as long as the government was under military control. The only notable incident in either court was the issuance of the writ of habeas corpus for ex-Governor Callava by Judge Fromentin against the wishes of General Jackson.<sup>28</sup>

A special section of the organic law of Florida, passed on March 30, 1822, dealt with the courts of the Territory. It provided for two superior courts, one at St. Augustine and one at Pensacola. Each court was to consist of one judge, a clerk, and a learned person to act as attorney. Sessions of each court were to be held four times each year. The superior courts were given jurisdiction in all criminal cases. The Legislative Council was given the authority to establish and maintain any inferior courts that might be necessary for carrying on the judicial work of the Territory.<sup>29</sup>

The superior courts lasted throughout the Territorial period, and were the most important agencies of the judiciary. These courts were respected by all the people and many influential men served on the bench. The first appointments to the courts were made by the President and confirmed by the Senate in 1822, shortly after the organic law was approved. Henry M. Brackenridge was given the West District appointment and Joseph L. Smith, of Connecticut, was made judge of the East District. Alexander Hamilton was made attorney for the East District and John Byrd was given a similar appointment in the West District.<sup>30</sup> The superior court remained unchanged until 1824 when Congress enacted a law establishing a Middle

<sup>28</sup> R. H. Rerick, *Memoirs*, II, 60; see also *Niles' Weekly Register*, XXI, 89.

<sup>29</sup> *Annals of Congress*, 17 Congress, 1 Session, 2578 ff.

<sup>30</sup> R. H. Rerick, *Memoirs*, II, 63.



## FLORIDA DURING THE TERRITORIAL DAYS

District in Florida, to be located between the Suwannee and the Apalachicola Rivers. Tallahassee was selected as the seat of the district, and Augustus B. Woodward was appointed judge. Both Federal and Territorial jurisdiction were to be continued in all three of the superior courts. These courts also retained the appellate jurisdiction over the inferior courts,<sup>31</sup> and thus became a model for the supreme court, established by the state government in 1845.

As the southern portion of Florida was settled, the people of Key West, tired of having to make the long journey to St. Augustine to attend court, demanded a branch of the superior court. Consequently a southern district, located "south of a line from Indian river on the east, and Charlotte harbor on the west, including the latter harbor," was organized in 1828. Thomas Douglas, who had worked diligently for the election of Joseph M. White as a delegate to Congress, had been promised the judgeship of the new district, but the appointment went to Joseph Webb of Marianna. Douglas became very bitter and accused White of dishonesty. White replied that the promise was of a political nature and not to be relied upon. Douglas published his view of the controversy in an attempt to injure White with his constituents, but his efforts were ineffective<sup>32</sup> and White was elected again as delegate to Congress.

As Florida became more populous it was necessary for the judges to hold sessions of court in every county. This not only overworked the judges but compelled them to travel long distances through dangerous Indian country to get to their various meeting places. Consequently it became necessary to create another district.<sup>33</sup>

In July, 1838, Congress established the Apalachicola District, which included Franklin, Washington, and Jackson

<sup>31</sup> *Annals of Congress*, 17 Congress, 1 Session, 2578 ff; also L. A. Thompson, *Digest of Laws*, 594-597; also Thomas Douglas, *Autobiography*, 82.

<sup>32</sup> Thomas Douglas, *Autobiography*, 83.

<sup>33</sup> R. H. Rerick, *Memoirs*, II, 74.





## GOVERNMENT AND POLITICS

counties with the seat of the court located alternately in Apalachicola and St. Joseph. Richard C. Allen was appointed to the judgeship; a marshal and a district attorney were also appointed. The Congressional act declared that the "Said courts shall be holden at the times and places now established by law in said district, until changed by the Legislative Council of said Territory."<sup>34</sup>

No further changes were made in the set-up of the superior court during the Territorial period, and all five of the districts, West, East, Middle, Southern, and Apalachicola, functioned smoothly until they were replaced by the State courts. At first appeals were taken directly from the superior courts to the United States Supreme Court, but when the court of appeals was established, all cases were first taken there.<sup>35</sup>

The court of appeals was authorized by an act of Congress in 1824, and established by acts of the Legislative Council in 1828, 1829, 1831, and 1832. The court of appeals was composed of all the superior court judges. They met in annual session at Tallahassee in January of each year. Congress changed the date to May in 1836; and after that date only cases from the court of appeals could be carried to a higher United States court. The court had no original jurisdiction. The act of 1832 declared:

Said court of appeals shall have power to issue writ of mandamus, quo warranto, prohibition, audita querrilla, habeas corpus, and procedendo, and shall possess and exercise a general superintendency control over the superior courts, and the official acts of the officers of the superior court.<sup>36</sup>

The court of appeals continued in existence throughout the Territorial period.

<sup>34</sup> L. A. Thompson, *Digest of Laws*, 612; also *Statutes at Large*, 25 Congress, 2 Session, 294.

<sup>35</sup> Charles D. Farris, "Courts of Territorial Florida," *Florida Historical Quarterly*, XIX (April, 1941), 357.

<sup>36</sup> J. P. Duval, *Compilation of Florida Territorial Laws*, 108-111.



## FLORIDA DURING THE TERRITORIAL DAYS

The organic law of 1822 gave the Legislative Council wide range in establishing "inferior" courts within the Territory. One of the best known inferior courts was the county court. In September, 1822, the Council took steps to organize such a court in each county of Florida. The courts exercised only administrative functions; they were abolished in March, 1823, by an act of Congress. In June of the same year, however, the Legislative Council again provided for a court in each county, and invested each with judicial as well as administrative duties.<sup>37</sup> These courts were reorganized many times during the Territorial period, but were functioning strongly when the period ended. The last legislative act dealing with the county court was passed on February 17, 1833; it provided for one judge in each county, appointed by the governor and the Legislative Council. The term of office was for four years. The court was allowed to "exercise original jurisdiction over all cases where the sum, debt, damage or matters in demand or controversy shall be above fifty, or not above one thousand dollars." Each county was to have two courts each year. A constable and a sheriff were appointed in each county. They held office for two years, and performed certain duties prescribed by law. Minor changes were made in the courts in 1838, but the general set-up was not altered.<sup>38</sup>

A circuit court was established in Florida in 1822, but it lasted for only a short while. It was one of the inferior courts established by the Legislative Council. One circuit court was established in East Florida and one in West Florida, mainly to relieve the superior court judge of his excessive duties. The Council thought that so much power in the hands of the superior court judge was "novel and dangerous." Congress did not think so, however, for the circuit courts were abolished by

<sup>37</sup> C. D. Farris, "Courts of Territorial Florida," *loc. cit.*, XIX (April, 1941), 340.

<sup>38</sup> J. P. Duval, *Compilation of Florida Territorial Laws*, 273-280.



that body in June, 1823. The jurisdiction of this court was given to the superior and county courts<sup>39</sup> and the experiment of the circuit court was not again tried in Territorial Florida.

The Legislative Council provided for Territorial justices of the peace in September, 1822, but it was not until January 1827 that the counties were divided into justice of the peace districts, and regular courts established. A "competent number of justices" were to be chosen, but after 1827 no county could have more than seven. The number, however, changed from time to time among the various counties. The justices were named by the Legislative Council, but an act of 1844 allowed the people to elect them by popular vote. Their term of office was two years. Cases from the justice of the peace courts were appealed either to the county or the superior courts. This court was the only one created during the Territorial period which was left intact under the new state government established in 1845.<sup>40</sup>

The Territorial courts were served by a group of talented lawyers, some of whom became prominent in politics. Among them were Joseph M. White, Charles Downing, David Levy, Benjamin A. Putnam, Abraham Bellamy, John L. Doggett, Joseph L. Smith, Joseph B. Lancaster, James Blair, Medicus Long, George W. Ward, and James D. Westcott.<sup>41</sup> White, Downing, and Levy served as Congressional delegates and, in fact, almost monopolized that office through the Territorial period.

J. N. Hernandez, at the request of the Legislative Council, and after a make-shift election, served for a short term as Florida's first Territorial delegate. He took his seat on January 3, 1823; in June the first general election was held, and Richard

<sup>39</sup> C. D. Farris, "Courts of Territorial Florida," *loc. cit.*, XIX (April, 1941), 340.

<sup>40</sup> *Ibid.*, 349; also J. P. Duval, *Compilation of Florida Territorial Laws*, 140-143.

<sup>41</sup> *Pensacola Gazette*, March 11, 1843; also *Florida Herald* (St. Augustine), June 13, 1833.





## FLORIDA DURING THE TERRITORIAL DAYS

Keith Call was elected to serve the specified term of two years. Qualifications for voting were few and democratic; one must have been a resident in the Territory on July 17, 1821, or on August 12, 1822. The first was the date of the transfer from Spain, and the latter was the day of the passage of the election law by the Legislative Council.<sup>42</sup> Call served only one term, declining to run in 1825.

For the next twelve years the office of Territorial delegate was efficiently filled by Joseph M. White, Florida's most talented lawyer. In five of his six elections White was opposed by James Gadsden. Gadsden, no doubt, would have served ably had he been elected, but White was a skilled politician, and so tactfully did he deal with his constituents that his popularity never once decreased after the first election. He advocated those things most desired by his people, namely internal improvements and a liberal treatment of the claims of Spanish inhabitants.<sup>43</sup>

White's ability to remain aloof from party factions and local bickerings within the Territory enabled him to tread a middle path in matters of controversy and dispute. In 1825 he pub-

<sup>42</sup> *East Florida Herald*, May 31, 1823. A list of Florida's Congressional delegates follows:

Delegate to Congress	Year	Opposition in Race
J. N. Hernandez	1822-1823	None.
R. K. Call	1823-1825	J. N. Hernandez, R. Bethune, A. Hamilton.
J. M. White	1825-1827	J. N. Hernandez, James Gadsden.
J. M. White	1827-1829	James Gadsden.
J. M. White	1829-1831	James Gadsden, W. Wyatt.
J. M. White	1831-1833	James Gadsden.
J. M. White	1833-1835	Richard K. Call.
J. M. White	1835-1837	James Gadsden, W. Wyatt, Henry Nuttall.
Charles Downing	1837-1839	W. Wyatt, Leigh Reid.
Charles Downing	1839-1841	H. Baltzell.
David Levy	1841-1843	Charles Downing, George Ward.
David Levy	1843-1845	George Ward.

Compiled from Territorial newspapers during election years.

<sup>43</sup> *Pensacola Gazette*, January 6, 1829.



lished in the columns of the *Pensacola Gazette* a statement in which he said that he wished it distinctly understood, "I have no party distinct from the great body of people." He stressed the fact that he had no promises or pledges to redeem after arriving in Washington. Said he, "the claims of the rich and poor, friend and enemy, shall be attended to with equal solicitude and devotion."<sup>44</sup> So greatly was he admired by his constituents that his arrivals from Washington each year occasioned great celebration. The *East Florida Herald* commented on White's reception as follows:

Col. Jos. M. White the delegate for Florida arrived in St. Augustine on November 3rd. Citizens rang the bells of Parochial Church and made bonfires in the public square. A public dinner was held for him at which sixty leading men were in attendance. When White was introduced the cheering lasted for some time. He rose and in a handsome and dignified manner made a short speech.<sup>45</sup>

White announced in 1834 that he would not be a candidate for reelection in 1835, since he had already served five two-year terms. But the pressure brought to bear upon him by his friends induced him to make one more race.<sup>46</sup> After victory at the polls in 1835, he made definite plans to retire in 1837; this he did, much to the regret of a large following in the Territory. At the time he left Washington, he was one of the leading figures in national politics. His wife, "Florida" White, was a very gracious woman and a queen in Washington social life. After his retirement to private life he lived on his Mickisuki plantation near Tallahassee. While visiting in St. Louis in the fall of 1839, he died with congestive fever.<sup>47</sup> Generally speaking, White had few political enemies.

The nullification question, so rampant in South Carolina

<sup>44</sup> *Pensacola Gazette*, November 12, 1825.

<sup>45</sup> *Florida Herald*, November 14, 1826.

<sup>46</sup> *Pensacola Gazette*, March 26, 1834.

<sup>47</sup> *Florida Herald*, November 15, 1839.





## FLORIDA DURING THE TERRITORIAL DAYS

during the early 1830's, found its way into Florida. The advocates of nullification were hopeful of enlisting Florida on their side, since they expected that the Territory would soon attain statehood. Colonel William Wyatt, who was defeated by White in the Congressional election in 1835, was the only Florida candidate who attempted to make capital out of the issue. He came out against nullification, but found a passive people. His opponent in the campaign was also anti-nullification.<sup>48</sup> In fact the nullifiers found little sympathy in the Territory. John C. Calhoun, the South Carolina protagonist, was condemned by the *Apalachicola Gazette* as "a man of great extremes" and one who led an "erratic course."<sup>49</sup>

Charles Downing, who succeeded White in 1837 and who served in the Congress for two terms, was not so successful as his predecessor. Downing was a member of the rapidly growing Whig party, but the party never really became the majority party in Florida. During the years of Downing's residence in Washington, the Whig party gave the Democrats in Florida serious opposition. The Democrats, however, elected a majority of the members of the Constitutional Convention which was held at St. Joseph in 1838. The major reasons for the Democratic success in that election were the growing opposition to the banks of Florida and the opposition of East Floridians to the continued ascendancy of the Whig planters in the Legislative Council. William P. Duval and Robert Raymond Reid, the two candidates for the presidency of the convention, were both loyal Democrats.<sup>50</sup> Neither party could claim the issue of statehood as its own for a majority of both parties favored entrance into the Union. The Whigs, however, were not so strong in the advocacy and a greater portion of them favored the division of the Territory than did the Democrats. The peo-

<sup>48</sup> *Pensacola Gazette*, December 6, 1834.

<sup>49</sup> *Apalachicola Gazette*, May 10, 1838.

<sup>50</sup> Richard H. Long (ed), *Journal of the Proceedings of a Convention of Delegates to form a Constitution for the People of Florida*, 8.



ple of Florida ratified the new constitution by a vote of 2065 to 1961. Surprisingly enough, the Whigs, at the same election, reelected Charles Downing as the Territory's delegate over Thomas Baltzell by a margin of 2595 to 1960.<sup>51</sup>

The Democratic party in Florida came back strong in 1841. It offered as its candidate for Congressional delegate David Levy, a lawyer of much talent who had already become prominent in the Territory. Levy won the election by a plurality of the votes; the Whigs split their strength between George Ward and Charles Downing. Levy received 1866 votes to 1538 for Ward and 915 for Downing.<sup>52</sup>

The newly elected Congressional delegate was bitterly criticized and abused by the Whigs because of his foreign birth. The *St. Augustine News*, the chief Whig organ in the Territory, declaring that the election was a "disgrace" since by it Florida had sent an "alien" to Congress,<sup>53</sup> urged that Levy be unseated. It claimed that his American citizenship had never been established. Such "mud slinging" had never before been witnessed in Florida; but despite the slander heaped upon him, Levy set to the task entrusted him and did meritorious work in Congress.<sup>54</sup> The Whigs tried to get the Congressional Committee on Elections to unseat Levy. The effort failed because all evidence sustained the fact that Levy was a bona-fide citizen of the Territory.<sup>55</sup>

David Levy was elected over George Ward, the Whig candidate, again in 1843. The Democrats, dubbed the "Loco Foco party" by their opposition, won the election on a platform of immediate statehood without division of the Territory. The Whigs revived the old charge that Levy was an alien, but by this time he had won the respect and esteem of his constituents

<sup>51</sup> *Florida Herald*, September 19, 1839.

<sup>52</sup> *St. Augustine News*, June 18, 1841.

<sup>53</sup> *Ibid.*, December 4, 1841.

<sup>54</sup> *Star of Florida* (Tallahassee), December 1, 1842.

<sup>55</sup> *St. Augustine News*, May 7, 1842.



## FLORIDA DURING THE TERRITORIAL DAYS

who ignored the charge. After Levy's second victory at the polls, the *Florida Herald* said:

The Whigs, we suppose will give up contesting his election on the ground of his being an alien, as it is now clear that they cannot alienate him from the affections of the people. Florida never had a better delegate—nor so good a one, in our opinion.<sup>56</sup>

The Whig party was successful in a majority of the local elections in 1842 and, as a result, the Legislative Council came under its control. The anti-bank Democrats, who advocated the issue of statehood, held the balance of power throughout the remainder of the Territorial period. Some of the East Florida Democrats were persuaded to cast their lot with the "divisionists" during the 1840's, but their number was offset by the bank Whigs from West Florida who affiliated with the movement for statehood. A convention of East Florida Democrats, held in Palatka in July, 1844, drafted a platform that included the following planks: (1) opposition to banks, (2) a plea for the division of the Territory (but this plank was not accepted by the Democrats in Middle and West Florida), (3) the continuation of hostilities with the Seminoles until all the savages were exterminated, (4) the annexation of Texas. The convention also voted thanks to David Levy for his loyal and faithful services to the Territory.<sup>57</sup>

The Democratic party was well entrenched in the Territory when Florida became a state in 1845, and in the first race for the governorship William D. Moseley was victorious over the forgotten Whig candidate, Richard Keith Call.<sup>58</sup> Thus the State of Florida was born of Democratic success.

<sup>56</sup> *Florida Herald*, June 5, 1843.

<sup>57</sup> *Ibid.*, July 16, 1844.

<sup>58</sup> *Pensacola Gazette*, July 5, 1845.





## Chapter IV: THE ADMINISTRATION OF GOVERNOR DUVAL

THE FIRST CIVIL GOVERNOR OF TERRITORIAL FLORIDA UNDER THE organic law of 1822 was William P. Duval, who was given his appointment on May 8, 1822.<sup>1</sup> On July 17, 1822, the duties of superintendent of Indian affairs in Florida were also added to Duval's previous assignment, thus ending the quasi-military government in the Territory.<sup>2</sup> Although he had been appointed a judge of East Florida in 1821, Duval was little known until his appointment as governor. He was born in Richmond, Virginia, in 1784 of a family of Huguenot descent. The Duval family was a large one as William's father was twice married and reared children from each union. Early in his life the younger Duval moved to Kentucky where he grew into manhood, and had a wide experience in the backwoods life of that section.<sup>3</sup> He was a member of Congress from Kentucky for a number of years, and maintained an excellent reputation as a scholar and a lawyer.<sup>4</sup> Soon after his appointment he began the journey to Florida down the Mississippi River by way of New Orleans. He finally arrived in Pensacola about the middle of June, 1822, and assumed his duties as executive of the Territory.<sup>5</sup> The government was immediately turned over to him by the two secretaries, George Walton and William Worthington, who had continued to act after Jackson left. Worthing-

<sup>1</sup> Monroe to Duval, May 8, 1822, Florida Territorial Papers.

<sup>2</sup> Calhoun to Duval, July 17, 1822, Florida Territorial Papers.

<sup>3</sup> Bessie Berry Grahowskii, *The Duval Family of Virginia*, 191.

<sup>4</sup> *Pensacola Floridian*, June 22, 1822.

<sup>5</sup> *Ibid.*



## FLORIDA DURING THE TERRITORIAL DAYS

ton retired from public life, but Walton was retained as secretary of the entire Territory. Henry Brackenridge was given the judgeship in Escambia County with an office at Pensacola, and Joseph L. Smith was given the same office in St. Johns County with his office at St. Augustine.

The first meeting of the Legislative Council was to have been held on the second Monday in June, but it was not until July 19 that nine of the thirteen members finally arrived in Pensacola. The members from St. Augustine in East Florida were detained on the long journey because of the hardships of frontier travel.<sup>6</sup>

Duval's administration began with a very turbulent season. It was hard for him to get settled in his work; since he was the first civil governor of Florida there were no precedents for him to follow. His duties as superintendent of Indian affairs were many but with the help of Gad Humphries, Indian agent, he endeavoured to settle the Indians in the vicinity of the Apalachicola River. The fact that Duval showed favoritism to many of his friends did not please the people generally. He showed much partiality in the first election for mayor in Pensacola, an action that was not looked upon with favor by the people of the Territory. He was exceedingly temperamental, and this led to discouragements in his new undertaking. After a two months sojourn in Pensacola he suddenly returned to his home in Kentucky without making any statement to the people concerning his departure. During his absence from Florida, which lasted until November, 1822, he was severely criticized by the people of the Territory. They felt that their governor should give more time to his duties than Duval was giving and complaints were made in both St. Augustine and Pensacola.<sup>7</sup> Indian affairs became pressing and a yellow fever epidemic in

<sup>6</sup> Caroline M. Brevard, *History of Florida*, II, 71.

<sup>7</sup> Several inhabitants of St. Augustine to Adams, October 14, 1822, State Department Miscellaneous Papers.





Pensacola took a large toll of lives. Then Secretary of State Adams, at the request of the President of the United States, ordered the governor back to Florida.<sup>8</sup> George Walton, acting governor during Duval's absence, attended to both civil and Indian affairs—a job too strenuous for one man under existing conditions.

Duval made no haste in returning to his duties in Florida. He calmly wrote Adams that he could not leave Kentucky for three or four weeks since his private affairs had to be settled. In the correspondence which followed between the two men, Duval assured the Secretary of State that he would try to allay all suspicions and feelings against himself when he returned to the Territory.<sup>9</sup> But the Floridians were disgusted with his attitude. Duval finally arrived in Pensacola in March of 1823 and found many people hostile toward him; some even tried to stir up trouble and to arouse greater dissatisfaction among the populace of the town. Shortly after his arrival Duval journeyed to St. Augustine, where the second annual session of the Legislative Council was to be held.<sup>10</sup>

Some people felt that Duval should be asked to resign his position, since he had so little interest in Florida affairs. He complained about his salary, the climate, and the inhospitable people with whom he had to deal, all of which led the people in the Territory to believe that he would give up his office upon a little insistence. The editor of the *Pensacola Floridian* attacked Duval with much fury and hostility. The paper stated that Duval did not want the governorship in the first place, and since he had definitely shown that he had no interest in his work or in Florida, he should step down and let someone else fill the office.<sup>11</sup> Duval realized that he had made a miserable

<sup>8</sup> Adams to Duval, November 22, 1822, State Department Domestic Letters.

<sup>9</sup> Duval to Adams, January 13, 1823, State Department Miscellaneous Letters.

<sup>10</sup> *Ibid.*, March 16, 1823.

<sup>11</sup> *Pensacola Floridian*, July 26, 1823.



beginning, and determined in August, 1823, to resign. Writing from St. Augustine to Andrew Jackson of his intentions, he said that a strong faction was working against him in East Florida. Duval believed that it was part of the same faction that had opposed Jackson while he was in Florida.<sup>12</sup> It seemed certain by November, 1823, that Duval would resign, although no official announcement had been made. Joseph M. White asked President Monroe to use much care in appointing Duval's successor. He wanted Monroe to secure someone who had the interest of Florida at heart, and who would work to that end. White said that Duval had become very unpopular with the people of Florida in the early days of his administration. He thought that by temperament and disposition Duval was unfitted for the work which he had halfheartedly undertaken.<sup>13</sup>

But Duval was a politician; and he wanted the job in Florida in order that he might be of aid to his old friend, Andrew Jackson. Hence he decided not to resign, and settled down to his duties in the Territory. Since he was never popular with a greater portion of the people, his long administration in Florida was only partially successful. He became interested in building a new capital at Tallahassee, in the Indian settlement, and in the conservation of Florida's natural resources, and after a time served the Territory fairly well. He returned to Kentucky whenever he could but as time passed he became more interested in Florida and less interested in Kentucky. At last he brought his immediate family to Tallahassee to live; thereafter he seemed much happier in his work. Several relatives also came to the Territory to make their home,<sup>14</sup> and later played important roles in Florida's development.

Another controversy developed in 1829, at which time Duval again threatened to resign. This argument was with the

<sup>12</sup> Duval to Jackson, August 26, 1823, Jackson Papers.

<sup>13</sup> White to Monroe, November 13, 1823, Monroe Papers.

<sup>14</sup> Duval to Jackson, July 5, 1825, Jackson Papers.



War Department and arose over plans for an Indian settlement. Duval was not successful in all of his attempts to persuade the Indians in Middle Florida to take lands on the reservations around the Apalachicola River, so the Secretary of War charged him with inefficiency in office. In June, 1827, Duval wrote to Andrew Jackson that he would "not consent to be insulted for any office on earth while corn and meat can be had in the west on good terms. . . ." He stated that he was poor but "my family shall live on corn and beat it into hominy while I live, sooner than submit to treatment I have received." Duval further said that he was going to Washington and tender his resignation in person.<sup>15</sup>

Governor Duval was well known for his hasty decisions, about many of which he was not serious. It should be remembered, too, that Jackson was not at this time serving in any official capacity. Consequently Duval's threat to resign was unofficial. This matter, like the previous affair, blew over, and instead of resigning he accepted another three-year appointment as governor of Florida. He visited Kentucky for several months after his trip to Washington and upon his return to Tallahassee he was given a public dinner by his friends of the capital city. Many of those who attended the dinner had earlier opposed his re-appointment. The change in their attitude indicated that the governor was becoming more popular with his people.<sup>16</sup>

The next three years of Duval's administration were not so turbulent as the earlier ones. During this period the governor was mainly interested in furthering Jackson's cause in Florida. When Jackson was elected to the presidency in 1828, Duval felt that his mission was complete and he decided to retire from public life when his current term should expire. He informed President Jackson of his intentions in 1831, saying that it was

<sup>15</sup> *Ibid.*, June 12, 1827.

<sup>16</sup> *Pensacola Gazette*, April 18, 1828.





## FLORIDA DURING THE TERRITORIAL DAYS

necessary that he return to his Kentucky home in order to put his business affairs in shape. He reminded the President that he had been fighting his battles in Florida for nine years, and that it was now time for Jackson to select his successor to the governorship. Duval suggested John H. Eaton for the position. The President realized that he had been well represented in Florida by Duval, and he felt that he still needed a strong influence in the Territory. He persuaded Duval to accept the governorship for at least one more term. Duval could not say "no" to his master.<sup>17</sup>

Governor Duval marked time during the next three years, for his duties in Florida had become little more than routine. However, the political enemies of the Jackson-Duval faction in the Territory remained busy during this last term served by Duval. Several weeks before his fourth term ended in 1834, he left Tallahassee for his home in Kentucky. The *Pensacola Gazette* commented as follows upon his departure:

Gov. Duval left Florida some weeks ago since for Kentucky, where his family has resided for two or three years past. He has filled the office of governor of this territory for twelve years. He has left many warm friends and many bitter enemies. The history of all new countries shows that no Territorial Governor can be popular with the people. Whether this be owing to the habitual reluctance of the people of this free country, to submit to the authority of rulers not of their own choosing, or to some other cause, it is certain that the subject of these remarks shared in Florida, the common fortune of all who have been appointed to fill the office of Governor of a Territory. Early in his career, his personal enemies succeeded in making against him an unfavorable impression among the people. But the greatest crime charged against him was his want of dignity. For this offence there is no man among us all, who did not feel himself at liberty to throw the first stone at him. . . . It is known that Governor Duval devoted his time and his talents to the prosperity of the country,

<sup>17</sup> Duval to Jackson, July 15, 1831, Jackson Papers.



## THE ADMINISTRATION OF GOVERNOR DUVAL

while his salary was consumed in a somewhat profuse hospitality. . . .<sup>18</sup>

Meanwhile President Jackson was having troubles and dissensions within his administrative family: these difficulties resulted in a complete dissolution of the Cabinet. Only Martin Van Buren and John H. Eaton were rewarded by new presidential appointments. John H. Eaton, the former Secretary of War, was given the governorship of Florida, vacated by Duval. The new governor and his wife, the former Peggy O'Neal, a person about whom many juicy bits of gossip had been repeated in Washington society, arrived in Tallahassee in December, 1834. The administrative duties were immediately turned over to the new governor by the secretary who had been serving in the interim.<sup>19</sup> Eaton was actually in Florida just a little more than a year, his stay being most unpleasant. He came chiefly to please Jackson, who wanted a satellite to take Duval's place. Then too, Eaton had to be taken care of in a political way, and the governorship was the best the President could do for him. Eaton made his headquarters in Pensacola, and spent little time at the capital in Tallahassee. Mrs. Eaton was not cordially received among the people of prominent social standing in the capital city, so in order to expose her to as little of the unpleasantness as possible, Governor and Mrs. Eaton remained in seclusion most of the time. The hostility to Florida's new first lady was led by Mrs. John Branch and Mrs. Richard Keith Call, two ladies of high social standing, who had participated in Washington social life at various times.<sup>20</sup>

<sup>18</sup> *Pensacola Gazette*, June 28, 1834.

<sup>19</sup> *Ibid.*, December 6, 1834.

<sup>20</sup> Ellen Call Long, MSS, *A History of Florida*, 427. There is a difference of opinion on the way in which Mrs. Eaton was received in Florida. She says in her *Autobiography*, 170: "We resided in Florida two years. My neighbors were pleasant, and I had no ugly passages in my history. . . ." However, it is more likely that Mrs. Long's unpublished manuscript gives a better picture of the contemporary scene.





## FLORIDA DURING THE TERRITORIAL DAYS

Eaton's administration and sojourn in Florida were similar in many respects to those of Duval. Both were disciples of Andrew Jackson, and both aroused much opposition. But surprisingly enough, Eaton made few personal enemies for he had a very friendly disposition. Consequently, the people hated to see him leave their midst.<sup>21</sup> Early in 1836, however, Eaton was appointed minister to Spain, and left the Territory immediately to settle business matters in Tennessee before sailing for Europe.<sup>22</sup>

During the Duval administration (1822-1834) and the Eaton administration (1834-1836), the Territory of Florida enjoyed development, despite the political controversies which caused dissatisfaction among the people. The Duval administration is given the credit for establishing the permanent capital of the Territory. Governor Duval himself in 1822 first suggested that a site be selected somewhere between St. Augustine and Pensacola as the seat of government. From that idea came the building of Tallahassee.<sup>23</sup> Plans were formulated at the second session of the Legislative Council, which met in St. Augustine in 1823. The delegates had such a difficult time getting from Pensacola to St. Augustine that they were eager to support any plan which would establish a mid-way point between the two leading Florida towns. William H. Simmons, of St. Augustine, and John Lee Williams, of Pensacola, were selected by the Legislative Council to examine the country between the Ochlockney \* and the Suwannee rivers and to select a site for the building.<sup>24</sup>

Simmons left St. Augustine on September 26, 1823, for St. Marks, and was scheduled to meet Williams in that vicinity

<sup>21</sup> *Pensacola Gazette*, May 9, 1835.

<sup>22</sup> Eaton to Jackson, April 12, 1836, Jackson Papers.

<sup>23</sup> Duval to Adams, September 23, 1822, State Department Miscellaneous Letters.

\* Later spelling: Ochlockonee.

<sup>24</sup> C. M. Brevard, *History of Florida*, II, 77.



## THE ADMINISTRATION OF GOVERNOR DUVAL

for the purpose of selecting the site. He made the trip by horse back; he carried some provisions with him, but depended on the Indians for shelter and for what food they would give him. The Indians along the way were none too hospitable as their chief, Neamathla, had told them of Simmons' coming and the object of his journey. Simmons first believed that the capital would best be located at the confluence of the Sante Fe and Suwannee Rivers. At that point the river was wide, clear, and rapid, and the surrounding land well supplied with pines. A settlement at this place would have been well suited for a capital, but he pushed on to St. Marks where he was to meet the other commissioner, Williams. On October 25, after traveling one month, Simmons met Williams at the home of one Ellis not far from St. Marks.<sup>25</sup>

The trip made by John Lee Williams from Pensacola to St. Marks was by water, his only companion being Charles G. Foster. The trip was a hazardous one since they carried with them neither a pilot nor a chart. High winds carried them out of their course, but after many days on the water they reached St. Marks, and then the home of Ellis, where they met Simmons.<sup>26</sup> The two commissioners secured horses, and with Ellis as their guide, began an inspection of the country between St. Marks and Tallahassi town. They reached the village of the Tallahassi Indians on October 28. Neamathla the chief, seemed friendly and entertained them while they were there, but it was well known that the entire tribe hated to see the capital built in their vicinity. Simmons and Williams explored the remainder of the country back to St. Marks and the coast line below the river. Simmons still was in favor of recommending the site on the Suwannee River, but gave in to Williams' choice of the Tallahassi site. The exact spot chosen was about a mile southwest from the old deserted fields of Tallahassi, and about

<sup>25</sup> C. M. Brevard, *History of Florida*, II, 79-82.

<sup>26</sup> *Pensacola Gazette*, March 27, 1824.



## FLORIDA DURING THE TERRITORIAL DAYS

a half mile south of the old Oclockney and Tallahassi trail. The site was eighteen miles north of St. Marks, and about ten miles from the head of the Wa-Kulla River which was navigable to its source. It was in the best farming center in the entire Territory.<sup>27</sup> The commissioners immediately notified Duval of the site selected; and he asked that the Legislative Council meet on that site the first Monday of November in 1824. Congress approved of the site in May, 1824, and the construction of a building soon began.<sup>28</sup>

Duval took the lead in carrying out the plans for the capital. In the spring of 1824 a United States naval vessel was sent to St. Augustine to take the public documents, the books, and furniture of the Legislative Council to St. Marks, and from there they were to be conveyed to the new seat of government. After a considerable amount of work and a great deal of cooperation among the officials of the Territory, a rude log house was completed, and the first Council session was held in Tallahassi on November 8, 1824. It was the beginning of the development in Middle Florida. All of the Council members were present except one. Joseph M. Hernandez was chosen president. The Indians, with curious and silent expressions on their faces, stood amazed at the assembly of white men. They were more friendly than hostile, and crowded the doors and the windows to see what was happening. Some of them ventured in the rear of the house, and made themselves comfortable in the seats provided for the Council members. This was the first meeting of the forces of civilization in the wild and untamed Indian country.<sup>29</sup>

Governor Duval was not present at the beginning of the session, as he was in St. Marks attending to business with the Indians, but he returned before the Council adjourned. He urged

<sup>27</sup> Niles' *Weekly Register*, XXV, 338.

<sup>28</sup> C. M. Brevard, *History of Florida*, II, 83.

<sup>29</sup> *Ibid.*, 88.





Executive Office  
Tallahassee, Florida  
October 4th 1831.

For  
I have the honor to transmit by Messrs. Archibald  
McRae and Elizabeth Winslow who (or one of them) will  
deliver this letter, the documents respecting any further apprehen-  
sions and delivery to either of them as the agent of the  
Territory one John Pembrey said to have fled to your  
State from the Territory for a crime, and who is demanded  
for extradition from justice under the act of Congress of the 12th of  
July 1793.

I have the honor to be

Very respectfully

Yr. most obt. servt.

James Desha  
Governor of Florida

Attest the  
Secy. of Alabama

Courtesy T. T. Wentworth,



## THE ADMINISTRATION OF GOVERNOR DUVAL

that a town be laid out at once on the quarter section of land given by the Federal government for that purpose. It was not until 1825, however, that an act was passed which provided for the laying out of the capital city. In the meantime many people had moved in, and the size of the settlement warranted an organized local government. An act of incorporation was passed; it provided for a council of five aldermen and a mayor. The streets were named for prominent Americans and leading Territorial figures; among them were Monroe, Calhoun, Adams, Jefferson, Madison, Gadsden, Call, and Gaines. The Council decided to name the town for the locality in which it was situated, Tallahassi or Tallahassee. The population increased rapidly after these steps were taken. People began to come there from Georgia, Alabama, the Carolinas, and Virginia. Several Frenchmen came too, and occupied the grant of land given to Lafayette in the vicinity of Tallahassee. One Frenchman of prominence, Charles Louis Napoleon Achille Murat, remained and contributed much to the development of Middle Florida.<sup>30</sup>

Use of the log house for sessions of the Legislative Council was discontinued in 1826, and the corner stone for a permanent state house was laid in that year. Although the building was not completed immediately, sessions were held in it that year. More than fifty houses, a church, a school house, and a hotel were built within a short time. Slowly the wilderness was transformed into an organized community.<sup>31</sup>

Tallahassee grew and became more prominent as the Territory developed toward statehood, but for many years there was agitation to move the capital farther east. The movement was sponsored by people from St. Augustine and East Florida who were envious of the strides that were being made by Tallahassee. The Legislative Council took the matter up in 1831,

<sup>30</sup> R. H. Rerick, *Memoirs*, I, 153.

<sup>31</sup> *Pensacola Gazette*, September 24, 1825.





## FLORIDA DURING THE TERRITORIAL DAYS

and a committee was named to inquire into and report upon the expediency of removing the seat of government. The committee reported favorably toward the moving of the capital, but the bill never passed the Council. The *Florida Herald* of St. Augustine backed the movement and called for immediate action.<sup>32</sup> During later years other attempts were made to shift the capital, but the effort was never so determined as it was in 1831. Robert Raymond Reid, Judge of East Florida, after visiting Tallahassee in 1835, wrote as follows in his Diary:

How far preferable is St. Augustine to Tallahassee! The latter place is full of filth—of all genders. I never knew such dirty houses and indifferent people. Gov. Eaton is a rowdy—his wife drunk or crazy, and several other ladies but so, so — But all are not of the same sample. Call and his wife, Baltzell and his, Waddell and his charming and intellectual lady, Wellford and his family—are clever and indeed excellent people. I might even add Westcote, who drinks, gambles, studies, speculates, swears, and yet has a character. My time passes in Tallahassee very unpleasantly—passed at the public house where noise and dirt prevail to a disgusting degree. . . .<sup>33</sup>

Reid, no doubt, was prejudiced against Tallahassee, since he was a staunch supporter of some place in East Florida for the capital. Other reports of the town were more favorable. The soldiers from out of the state who came to Florida to fight in the Indian War were usually impressed with the beauty and the location of the capital city.<sup>34</sup> One feature which made Tallahassee attractive as a capital was the fact that it was not molested by the terrible maladies which frequented the seaport towns at certain times of the year. Only one year, 1841, was Tallahassee visited by any considerable amount of sickness, and that was a yellow fever epidemic of minor proportions.<sup>35</sup>

<sup>32</sup> *Florida Herald*, February 16, 1832.

<sup>33</sup> MSS, Robert Raymond Reid Diary, February 27, 1835.

<sup>34</sup> W. B. Campbell to his wife, September 14, 1836, David Campbell Papers.

<sup>35</sup> *Star of Florida*, July 28, 1841.



## THE ADMINISTRATION OF GOVERNOR DUVAL

Several other towns were laid out and established in the vicinity of Tallahassee during the Duval administration. Although the community had been settled several years prior to Duval's arrival in the Territory, plans for an organized town were drafted for St. Marks in 1829. St. Marks became a thriving seaport town and, only eighteen miles from Tallahassee, it grew into a prominent Middle Florida urban center. The town was named for the fort which bore the same name.<sup>36</sup> Magnolia, eight miles north of St. Marks on the river by the same name, was established in 1827. Because of the growth of the town of St. Marks and of Tallahassee, Magnolia never became prominent.<sup>37</sup> Located in the richest section of Florida's farming area, Quincy dates back to 1825. It became the seat of justice for Gadsden County.<sup>38</sup> Monticello was surveyed for the county seat of Jefferson County in 1828. The site was formerly an old Indian town, but with the sale of lots to incoming farmers it took on a new aspect and appearance. Marianna was another Middle Florida town of prominence. It was situated on the Chipola River, and was incorporated in 1829. Other smaller places which did not become prominent were Shell Point, Webville, Mico, Aspalaga, Vernon, and Ochesse.<sup>39</sup>

Indian affairs occupied an important place under Governor Duval since his duties as executive were combined with those of superintendent of Indian affairs. Indian hostilities began in 1835, but many complicated problems and quarrels had kept tension high between the two races before the conflicts actually began. Duval was interested in getting the Indians settled in some out-of-the-way place in Florida, so that the richer part of the Territory could be developed by the incoming white settlers. Middle Florida was inhabited by Indians who,

<sup>36</sup> Graham to Butler, March 24, 1829, Interior Department General Land Office.

<sup>37</sup> *Pensacola Gazette*, August 31, 1827.

<sup>38</sup> John Lee Williams, *Territory of Florida*, 124.

<sup>39</sup> *Ibid.*, 124-125.



## FLORIDA DURING THE TERRITORIAL DAYS

as farmers, had cultivated the rich Apalachicola River region. Andrew Jackson had previously advocated the setting up of a special reservation for all the Florida Indians on a portion of this river, a plan which seemed satisfactory to many. When Duval came to Florida, plans were made to send the Indians to a specified section in the Tampa Bay region of South Florida. James Gadsden was commissioned by the President to run the boundary line of the reservation and to help with the removal of the Indians to that section.<sup>40</sup>

Governor Duval was to aid in moving the Indians to their new reservations, either on the Apalachicola River or in South Florida. After contact with the various groups, Duval decided to hold a meeting at St. Marks for the purpose of discussing the move. When Duval arrived at St. Marks at the appointed time, the Indians were not present. He learned that Neamathla, the chief of one of the tribes, had advised the Indians against attending the meeting. Duval went in search of the Indian chief and found him in council with three hundred or more warriors. Neamathla had told the Indians that the white men meant no good for them, and that their lands were being taken by the whites. He had instilled a bitter feeling in the red men against the whites, and the Indians were becoming more excited. Duval entered the council meeting, and questioned Neamathla in front of the other warriors. Their words led to a bitter argument which ended in a fisticuff with Neamathla being chased away from the group by Duval. This made a lasting impression on the Indians; their chief had been whipped, and whipped soundly by a white man. Duval thereafter had very little trouble with the warriors. John Hicks was appointed as the new chief; and the Indians made ready to leave the section of Tallahassee, which they had previously agreed to do. Most of them were granted temporary reservations in Middle Florida before

<sup>40</sup> Calhoun to Gadsden, November 4, 1823, Interior Department Indian Office.





## THE ADMINISTRATION OF GOVERNOR DUVAL

the final removal to South Florida. Duval was interested only in getting them out of the immediate vicinity of Tallahassee.<sup>41</sup>

Neamathla remained sullen and adamant for some time, and had little to do with the whites after his encounter with Duval. He led a few raids around Tallahassee, killing horses and cows, and doing general damage during the years 1825 and 1826, but on the whole the years of Duval's administration were years of peace with the Indians. They mixed freely with the whites and came and went from place to place without any restrictions. These conditions prevailed so long as the Indians were allowed to keep a small portion of land on the Apalachicola River, and the reservation in South Florida. The Indians along the Apalachicola River had nothing about which to complain. They were aided by the government, and were given food, clothing and other comforts of life for forfeiting some of their lands to the whites. The Indians were a radically inconsistent people in that they could not be counted upon, and they were scarcely understood by the white man.<sup>42</sup>

Before 1832 no general policy for the Indians was adhered to by all the Florida officials. Jackson, first to work among the Indians in the Territory, followed one policy, whereas Duval formulated another. Both thought that the whites could live peaceably among the Indians in the future as they had in the past. James Gadsden from the beginning, however, believed that the best policy was to move the Indians completely from the Territory, and leave the land free for the development of industry and agriculture. Gadsden, who had previously been commissioned to lay out the reservation in South Florida for the Indians, was appointed in 1832 to the job of effecting the removal of the Seminoles from the Territory. He spent some time traveling about Florida, meeting and talking with the Indians about giving up their lands and moving to a

<sup>41</sup> Duval to Calhoun, July 29, 1824, Interior Department Indian Office.

<sup>42</sup> C. M. Brevard, *History of Florida*, II, 88.



## FLORIDA DURING THE TERRITORIAL DAYS

place much more suited to them west of the Mississippi. In some places he met with favorable response but in others his work was very discouraging. This threat of removal from Florida stirred the passions of the Indians and caused them to begin hostilities with the white men in December, 1835.<sup>43</sup>

Duval's administration was not one of harmony with his Legislative Council. At times he counted very few of the Council members as his friends, although a great deal of legislation was passed during the twelve-year period. On the subject of banking he worked at odds with his Council for about six years. Every bill having to do with banking was vetoed by him, but most of them were passed over his veto by the Council. Near the end of his administration Duval became more reconciled to the ways of his Council, and tried to act with them in legislative matters. Even so, he vetoed sixteen of the eighty-two acts passed in the six weeks' session of 1833.<sup>44</sup> The discord existing between Duval and the Legislative Council led James Gadsden, politically ambitious himself, to discount the accomplishments made by the Duval administration.

Soon after Duval resigned, Gadsden wrote as follows to President Jackson: "We the people of Florida are in a most distracted and distressed state— We are literally without a government, without concert of action, or reciprocity of good feeling, a universal distrust seems to pervade the whole community . . ." <sup>45</sup>

Gadsden was too critical of the situation in Florida at the time of Duval's resignation, but he was not altogether wrong in his estimation of the governor. Duval had not contributed enough to Florida. His main interests had been focused upon aiding Andrew Jackson and his own personal ambitions.

<sup>43</sup> Cass to Gadsden, January 30, 1832, Interior Department Indian Office.

<sup>44</sup> *Niles' Weekly Register*, XLIV, 83.

<sup>45</sup> Gadsden to Jackson, January 14, 1836, Jackson Papers.





## *Chapter V:* THE QUESTION OF LANDS

THE TERRITORIAL LAND ISSUE WAS FRAUGHT WITH MANY ENTANGLEMENTS and complications. Florida was a vast new area of seemingly wealthy lands; her climate was inviting and her location ideal. Land speculators very early began to cast interested eyes at the newly purchased peninsula; but, before any steps could be made toward opening up these lands, numerous Spanish claims had to be reckoned with.

The King of Spain had always exercised the right of granting lands to whomever he pleased, because he technically claimed all of the lands in Florida in the name of the Catholic Pope. Such practices were customary in Catholic countries so as to provide a pretext for extending the Catholic religion into new territory. The Spanish government also entered into a treaty with the Indians whereby the red men were given the rights of Spanish subjects. The Indians knew very little about being Spanish subjects and cared less.<sup>1</sup>

The Spanish land grants caused considerable debate between John Quincy Adams and Luis de Onís during the negotiations for the treaty of cession in 1819. It was evident that the King of Spain had made grants prior to the treaty of cession covering a large portion of the peninsula. The United States planned to put most of the Florida land on sale and use the money from the sales to extinguish the American claims against Spain; but if these large grants remained in the hands of Spanish subjects, no such use could be made of the land. Hence, in an effort to

<sup>1</sup> *Pensacola Floridian*, September 15, 1821.



make void most of the Spanish grants, Adams suggested that the date 1802 be used in determining their validity; all grants made before that date were to be valid, and all grants made after that date were to be void. But Onís objected to the arbitrary selection of that year and suggested January 24, 1818, because, he contended, it was not until that date that Spain showed any willingness to yield Florida to the United States. Adams agreed to January 24, 1818, because the three largest grants were made by the King of Spain after that time.<sup>2</sup>

The three grants, which covered a large portion of the Territory of Florida, were hurriedly made by the King after it was reasonably certain that Florida would soon be an American Territory. They were known as the Alagon, Punonrostro, and Vagas grants, and one of them was known to be illegal because it extended west of the Perdido River into territory that had been a part of the United States since 1814. There was much consternation in Spanish circles when it was learned that the grants would be null and void by the treaty, and there was much effort on the part of the King to move back the date on each grant, so that it would appear that they were made prior to January 24, 1818. The King was determined to keep Florida lands in Spanish hands despite its transfer to the United States. But everything was against the King, and after much effort to keep the grants intact, he was advised by the Cortes on October 5, 1820, to cede Florida to the United States and to declare null and void the Alagon, Punonrostro, and Vagas grants. This he did on October 24, 1820.<sup>3</sup>

However there were other land grants made before January 24, 1818, which were held valid under the treaty. Spain granted large and small tracts on liberal terms; this policy was followed to attract settlers. Some of the lands in Florida had

<sup>2</sup> French Ensor Chadwick, *The Relations of the United States and Spain, Diplomacy*, 139.

<sup>3</sup> Hunter Miller (ed), *Treaties and Other International Acts of the United States of America*, III, 50-51.



## THE QUESTION OF LANDS

been given to voluntary settlers on condition that the lands be improved or certain crops grown. Some grants were made to persons who had rendered some distinctive service to the Spanish government, while other lands were given to loyal Spaniards for fidelity during the late revolutionary uprisings.<sup>4</sup>

Most of the grants were made during the Spanish occupation prior to 1763, and from 1783 to 1819; however some of the grants were of British origin, and were made while the English were in possession of the peninsula, 1763-1783. The fact that the ownership of Florida changed from Spain to England and back to Spain made the settlement of the claims much more difficult. Some of the grants made first by the English government and then by the Spanish had such overlapping histories that their validity was hard to determine. Many claimants had no records or deeds of their land, since the only title of the land was kept in the office of the "escrivano," or the secretary of the Territory, where it was preserved. The grantee had the right to dispose of the land as he pleased, and if he did not like its location or its surroundings he abandoned it. The cases wherein most disputes arose had to do with absentee owners who made no attempt to settle claims before the same tracts were granted to a second immigrant as vacant land. Many grantees were never able to locate their lands.<sup>5</sup>

Some board or agency was needed to settle the controversies which might arise over these claims, and to formulate a land policy for the newly acquired territory. Fulfilling this need, Congress passed a law in 1822 providing that the President appoint two Boards of Commissioners, one for East Florida and one for West Florida. Each Board was to be composed of three members, and each member was to receive a salary of two thousand dollars per year. At the same time provision was made for the appointment of a Surveyor General of Florida, whose

<sup>4</sup> *Pensacola Floridian*, September 15, 1821.

<sup>5</sup> *Ibid.*





## FLORIDA DURING THE TERRITORIAL DAYS

duty it should be to survey correctly and map all the lands of the peninsula.<sup>6</sup>

The two Boards were soon appointed. Alexander Hamilton, W. W. Blair, and Floyd Davis were the Commissioners for East Florida; and S. R. Overton, Nathaniel Ware, and James P. Preston for West Florida. Preston, however, never served; in his place was appointed Joseph M. White, who won distinction for himself in this work. So interested did White become in the Spanish land claims, and so well informed was he on the subject, that in 1827, while serving as Territorial delegate in Congress, he was requested by the President of the United States to make a collection of all the Spanish ordinances and laws dealing with Florida lands. This extremely difficult assignment was done with much promptness and accuracy by White. The results of his efforts were used as a code by which the Supreme Court could confirm or reject titles to Spanish claims.<sup>7</sup>

The Board of Commissioners in Pensacola was organized and ready for work by July 15, 1822;<sup>8</sup> but the St. Augustine Commissioners did not arrive until April, 1823.<sup>9</sup> Each Board appointed a secretary, who kept a full record of all the proceedings and maintained a permanent office. The personnel of each Board changed quite frequently, for the job undertaken by the Commissioners was indeed a difficult one. The work of neither Board was crowned with complete success. From the beginning delay characterized their work. The claims were written in Spanish, and the Commissioners at first had difficulty in getting an accurate translation. The secretary of each Board was required to know Spanish, but he could not transact all the work. The work of the West Florida Board was inter-

<sup>6</sup> *Annals of Congress*, 17 Congress, 1 Session, II, 2551.

<sup>7</sup> *Pensacola Gazette*, May 12, 1829.

<sup>8</sup> *Pensacola Floridian*, July 20, 1822.

<sup>9</sup> *East Florida Herald*, May 3, 1823.



## THE QUESTION OF LANDS

rupted by an out-break of yellow fever in 1822.<sup>10</sup> The work of the St. Augustine Board was of larger proportions than that of the Pensacola Board.

Each person claiming land, whether under any grant, concession, patent, or order of survey, was required to file a claim with the Board nearest to him, which should set forth the location boundaries, and the description of the land's title, as clearly as possible. Other information required was the exact number of acres of the claim, by whom and when it was granted, and whether the tract was an original grant or a part of such. If any official document concerning the claim could be obtained from the office of the *escrivano*, it had to be presented to the Commissioners with testimonials that the grantee was living on his land when the cession of Florida was made to the United States.<sup>11</sup>

Many fraudulent claims were found among the true patents turned in to the Commissioners, the most noted of which was a scheme to defraud the government of a large quantity of land. The scheme was unearthed by the West Florida Board; it involved many prominent persons of Pensacola, including the mayor of the town. The lots under question were situated at sites most suitable for military and naval purposes. Joseph M. White took the lead in exposing the scheme, and by doing so lost a host of friends.<sup>12</sup> Some of them threatened personal violence; but his action placed him high in the estimation of the Federal authorities.

The Board of Commissioners made annual reports to the Secretary of the Treasury in Washington, and from there the records were turned over to the Congress of the United States. In a report made by the East Florida Board on January 31,

<sup>10</sup> Nathaniel Ware to Adams, October 21, 1822, State Department Miscellaneous Letters.

<sup>11</sup> *American State Papers, Lands*, II, 654.

<sup>12</sup> White to Adams, July 21, 1824, State Department Miscellaneous Letters.





## FLORIDA DURING THE TERRITORIAL DAYS

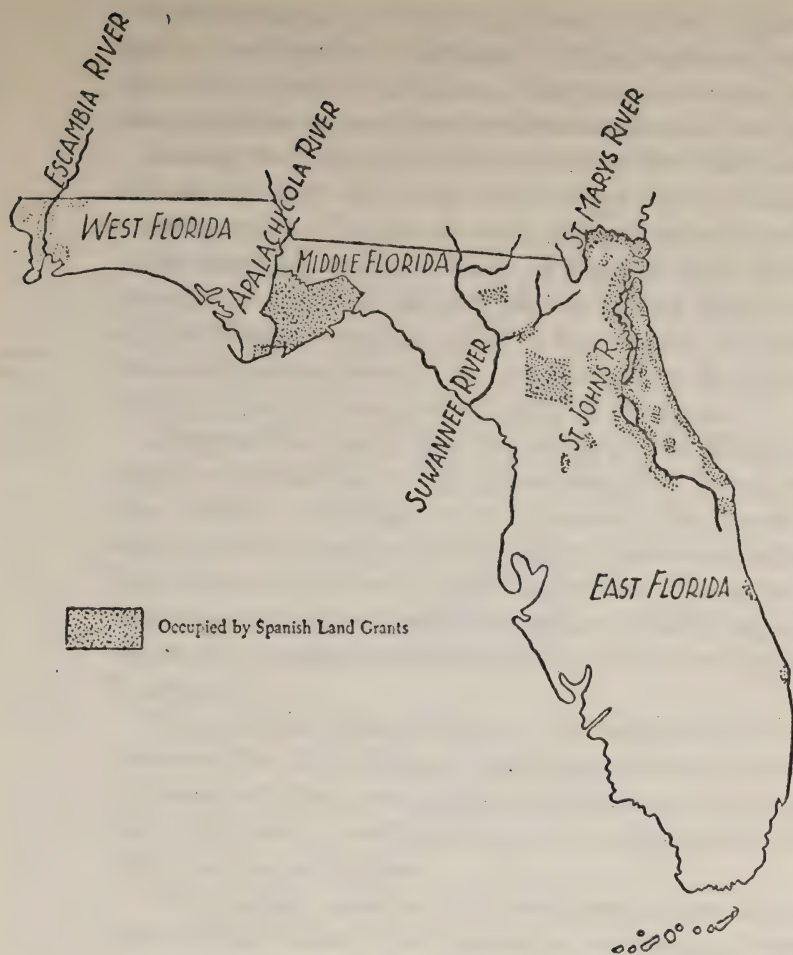
1826, the Commissioners stated that "in the discharge of duties assigned them, they have examined and disposed of the claims herein set forth, in the manner and upon the principles exhibited in the following nine classes." In the first class were placed claims to lands not exceeding 3,500 acres that had been confirmed by the Board. These claims were, as a rule, granted by the Spanish Governor of Florida, and no tract was larger than 640 acres. The second class comprised grants not exceeding 3,500 acres, which, though giving evidence of being valid Spanish grants, had not yet been confirmed for the want of actual proof. In the third group were placed valid Spanish land grants of 3,500 acres or more that were being reported to Congress for confirmation. The fourth class included claims not exceeding 640 acres which had not been confirmed by the Board. The fifth group comprised claims reported to Congress because settlements were made between 1819 and 1821, during the time when negotiations for the change in government were taking place. The sixth included claims derived from the Spanish government by written evidence. They were judged to be valid Spanish grants, but were being reported to Congress because the quantity of land in the claims was undefined. The seventh class was made up of claims not exceeding 3,500 acres founded on British claims and confirmed by the Board because they had been recognized by the Spanish authorities. Town lots comprised the eighth class; they were confirmed by the Board because of actual occupation and cultivation previous to 1819. The last class of claims was different from all others since there was no evidence in the archives of any of these grants. There was some suspicion that these claims were fraudulent.<sup>13</sup>

In this report the Commissioners listed 326 claims that had been confirmed; sixty-one claims rejected, and eighty-eight sent to Congress for reference. Besides those claims there were

<sup>13</sup> MSS, Minutes of the Land Commissioners, January 31, 1826.



# THE QUESTION OF LANDS



Courtesy of the Univ. of North Carolina Press

*Main regions of Spanish land grants sustained by the  
United States*



528 undetermined, of which 233 were held for further proof, and 295 had not been translated.<sup>14</sup> Other reports of the Board are similar in nature to this one. They required much work on the part of the secretary and various members of the Board.

During the early years of its existence the Board sat in session nearly every day in the week except Sunday. Seldom was a holiday taken. The sessions were called to order at ten o'clock in the morning, and an average of three to four claims were disposed of each day. At intervals the United States Attorney of East Florida would be called in for counsel. Witnesses and interested persons were often brought before the Commission to help in determining the accuracy of the grants.<sup>15</sup>

Congress had hoped that the work of the Commissioners might be finished in two or three years, but it was not until 1827 that the two Boards were abolished. The Boards turned over all records and papers relating to claims and titles to the Registers and Receivers of the land offices. Claimants to land whose grants had not been filed with, or decided upon by, the Board were permitted to file their claims with the Registers and Receivers.<sup>16</sup>

The abolition of the Board of Commissions did not mean, however, that all the Spanish land claims had been settled. The Registers and Receivers of the two land offices in St. Augustine and Tallahassee as well as the courts were plagued with many old as well as new claims.

The superior courts in 1823 were given a part in the settlement of the claims. This resulted in much controversy, but the courts continued to play an ever increasing role in this phase of territorial life. The Act of 1823 declared that

in all cases in which said judges [of Superior Courts of St. Augustine and Pensacola] shall decide in favor of the claim-

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*, March 28, 1825.

<sup>16</sup> *National Intelligencer*, March 8, 1827.





ants, the decision with the evidence on which they are founded, shall be by the said judges reported to the Secretary of the Treasury, who on being satisfied that the same is just and equitable within the provisions of the said treaty [of 1819], shall pay the amount thereof to the person or persons in whose favor the same is adjudged, out of any money in the treasury not otherwise appropriated.<sup>17</sup>

During the 1827-1828 session of Congress the courts were given further authority in the adjudication of unsettled private land claims of 3,500 acres or more in Florida. A large number of cases were carried into the courts, and in 1830 Daniel Brent of Kentucky and Richard Keith Call were appointed as counsels to work with the District Attorney in defending the United States against these claims. In all cases in which the decision was against the United States, an appeal was made to the Supreme Court. The claimant also had the right to appeal his case to a higher court in case the decision went against him.<sup>18</sup> However, the courts were unable to settle the problem permanently.

Most of the land grants were surveyed as soon as possible; but after the grants had been confirmed by the United States, many claimants demanded a re-survey, since some of the grants were confirmed as a whole and some in part. Robert Butler was sent to Florida by the Federal government to act in the capacity of Surveyor General, and was given full responsibility for all the surveys made.<sup>19</sup> It was found wise to survey the claims in West Florida before those in East Florida, because the region around Pensacola grew more rapidly than did East Florida.<sup>20</sup>

George Graham, Commissioner of the General Land Office in Washington, hoped for a quick job in finishing all of the private claims; but this undertaking, as was the case in filing

<sup>17</sup> *Pensacola Gazette*, September 13, 1824.

<sup>18</sup> Thomas Douglas, *Autobiography*, 85.

<sup>19</sup> *Pensacola Gazette*, July 20, 1827.

<sup>20</sup> Graham to Butler, October 16, 1826, General Land Office.



## FLORIDA DURING THE TERRITORIAL DAYS

private claims by individuals, dragged on for many years. Numerous difficulties arose where boundaries were undefined. The surveys did not begin in East Florida until 1830,<sup>21</sup> and before they were finished the government had expended much money and time on them.

A belligerent attitude toward the surveyors was assumed by numerous persons; many claimants contended that their lands had not been accurately surveyed. In some cases the claimant's tract of land was diminished by the surveyor, and the claimants began to oppose having their claims surveyed by the United States. They also refused to cooperate with the surveyors and would not give information concerning boundary lines. Some people resented the presence of the government surveyor and in many cases made the work exceedingly difficult. The government continued the survey of private lands in Florida until 1842. By this time the public domain was receiving more interest, and the private claims became increasingly less important as a phase of the land problem.<sup>22</sup>

The size of the Spanish land grants ranged from a few acres to several hundred thousand acres. The two largest, the Arredondo and Son claim and the John Forbes and Company claim, totaled nearly one million acres of the very best Florida lands. Since so much was involved in these private grants the Federal government took time and energy to make sure that they were not fraudulent.<sup>23</sup> It was suspected that both the Arredondo and the Forbes claims were granted by Spanish authorities who had no right to exercise such power. Under terms of the treaty they were valid if they were granted by the King of Spain prior to January 24, 1818.<sup>24</sup>

The Arredondo grant, containing 289,645 $\frac{5}{7}$  acres of land,

<sup>21</sup> *Ibid.*, July 10, 1830.

<sup>22</sup> Graham to Conway, December 10, 1842, General Land Office.

<sup>23</sup> Butler to Van Buren, March 27, 1829, State Department Miscellaneous Letters.

<sup>24</sup> P. C. Brooks, *Diplomacy and the Borderlands*, 177.





was of particular interest. Don Fernando de la Maza Arredondo had rendered outstanding services to the King on various occasions, and in 1813 as a result of his faithfulness he was elected a delegate to the provisional Junta of Cuba, which was within itself no small honor. As a further reward, the King granted to Arredondo and his son on December 22, 1817, a vast expanse of land in Florida known as Alachua. The exact number of acres was not known, as the boundary extended "four leagues to each wind" reckoned from the center of Alachua. The grant specifically stated that Arredondo and his son should settle two hundred Spanish families upon the land within three years after the date of transaction, and they were also required to use all power within their means to augment the population in Florida.<sup>25</sup>

Don Peter Mitchel purchased a part of this land from the Arredondos some time after the grant was made; and he, William T. Hall, and Pedro Mirandez undertook to get settlers to come to the Central Florida grant to locate. By 1820 some of the land was cleared and the settlement of Alachua was started.<sup>26</sup>

The Arredondo grant was not confirmed as valid by the United States until early in 1832. The case was handled by William Wirt in Washington who acted as the Attorney General, specially appointed. John M. Berrien was the Attorney General, but he had been employed by several claimants before receiving his high office; he was, therefore, not allowed to act in the Florida land cases. Thomas Douglas, District Attorney of East Florida, wrote up the claims and was highly complimented by President Jackson for the manner in which it was done.<sup>27</sup>

As soon as the Arredondo grant had been confirmed, the

<sup>25</sup> Thomas Douglas, *Autobiography*, 87.

<sup>26</sup> Fritz W. Buckholz, *History of Alachua County*, 42.

<sup>27</sup> Thomas Douglas, *Autobiography*, 88.



## FLORIDA DURING THE TERRITORIAL DAYS

Surveyor General was notified to make a complete survey of the land. The job was completed soon thereafter. In 1844 it was discovered that the surveyor had diminished the tract of land by several thousand acres. The holders of the land, who had by this time sold much of it to new settlers, urged the Surveyor General to have the work re-done but to no avail.<sup>28</sup>

The John Forbes and Company grant, or the "Forbes Purchase" as it was later known, extended from the extremity of St. Vincent Island to St. Marks on the Gulf of Mexico. The grant was made a few years prior to the treaty of cession, and within a short time most of the land was held by a group of wealthy Spaniards who resided in Cuba. The stockholders formed the Apalachicola Land Company, and vested in a board of directors the authority to sell the land. Speculators and immigrants were early attracted to this section, and a great portion became well inhabited. The United States authorities never decided upon the validity of the grant; hence it was not surveyed by the Federal agents. The only complete survey of the Forbes Purchase made during the Territorial period was a private one.<sup>29</sup>

The Apalachicola Land Company was dubbed a "grasping monopoly" by the squatters on the lands, but the *Apalachicola Gazette* defended the company as follows:

What properties have they grasped at which have not been adjudged to be their own? When and where have they monopolized to themselves the profits of any man's labor, without a fair equivalent? Let their acts answer for them. Look at their proposals and offers to the settlers here, and say if they are deserving of these epithets. Look at what they have done, and *are* doing for our city. They have appropriated \$6,000 for the purpose of furthering the public improvements. They have appropriated \$20,000 for the purpose of deepening a ship

<sup>28</sup> Levy to Conway, November 25, 1844, Florida Agriculture Department Letters.

<sup>29</sup> John Lee Williams, *Territory of Florida*, 301.



## FLORIDA DURING THE TERRITORIAL DAYS

in 1836; but, during the interval, his lands depreciated considerably and his mill was totally destroyed. Sibbald asked for indemnity for only the actual losses which he had incurred while kept from his lands, but in 1844 the Supreme Court refused to grant his petition.<sup>32</sup> While the government generally acted wisely in the settlement of Spanish land claims, at times it acted most unfairly, as this case amply indicates. And there were others of similar nature on the records.

The public land in Territorial Florida included, theoretically, all the land which was not confirmed as Spanish land claims. Because of the inability of the government to secure an early settlement of these Spanish claims, the sale of public lands was delayed for several years. Settlers, it is true, came to Florida rather rapidly in the first few years of American occupancy, but if they bought lands they purchased them from someone who had private lands for sale. Most of the early immigrants settled temporarily on public land.

Before all the private land claims had been surveyed and settled, the Federal government took steps to put on sale some of the land which was not claimed by individuals. The first action taken was the appointment of a Surveyor General for the Territory. Robert Butler was given this post in the spring of 1824 and proceeded at once to Florida to supervise the surveys of all public lands as well as private claims.<sup>33</sup> Throughout most of the Territorial period the office of the Surveyor General was located in Tallahassee; for it was in this newly settled section of Florida that most of the public lands lay. Butler's first report to George Graham, the Commissioner of the Land Office in Washington, was dated December 17, 1824, and stated that the work was under way.<sup>34</sup>

<sup>32</sup> Charles F. Sibbald, *Claims of Charles F. Sibbald*, 1-4.

<sup>33</sup> Mary Lamar Davis, "Robert Butler—An American Pioneer," Tallahassee Historical Society Annual (Mimeographed Annually, Tallahassee), 1939, 60-61.

<sup>34</sup> Butler to Graham, December 17, 1824, General Land Office.





## THE QUESTION OF LANDS

The land was surveyed in sections, townships, and ranges. Each section contained one square mile or 640 acres. Thirty-six sections comprised a township, and any series of townships situated north and south of each other constituted a range, while such a series situated in an east and west direction constituted a tier. The ranges ran the length of the Territory, north and south; those in East Florida, therefore, contained much more land than those in West Florida, since the Gulf of Mexico reduces the western portion to only a narrow strip of land. The ranges were numbered east and west from Tallahassee. Butler proposed to complete within one year the survey of about one hundred and thirty townships of land in the vicinity, both east and west of Tallahassee.<sup>35</sup> He did not take into account the many difficulties of getting started in the Florida undertaking, however, and ran considerably behind schedule with the work.

The office Robert Butler held was an important one, because the early development of the Territory depended largely upon the manner in which the land was sold, and the sale of land in turn depended upon the surveyors. The surveys took time and energy. From time to time Butler contracted with surveyors for work in the field. Butler himself spent very little time in the field; hence it was necessary that he secure men who were thoroughly competent to do the work. When a surveyor was employed for a piece of work he was obliged to finish it in a given length of time. Surveyors were paid by the mile surveyed, and usually worked in groups. For example, Henry Washington, Thomas Brown, and Robert C. Allen contracted with Butler for the survey of seven hundred square miles of land in East Florida. The agreement specified the work to be done within six months after the contract was signed, October 3, 1832; the surveyors were to receive four dollars per mile.<sup>36</sup>

<sup>35</sup> Butler to Graham, December 17, 1824, General Land Office.

<sup>36</sup> Butler to Hayward, October 3, 1832, General Land Office.



## FLORIDA DURING THE TERRITORIAL DAYS

Other large contracts let by Butler were as follows: Paul McCormack for seven hundred miles; David Thomas for seven hundred miles; Frederick Ming for six hundred miles; and I. B. Clements for seven hundred miles.<sup>37</sup> Throughout the Territorial period there were dozens of surveyors working in the field, the most highly regarded for his ability being Henry Washington.<sup>38</sup>

The surveys were delayed by various factors. The first perplexity came from finances, although Congress was usually generous in its appropriations for this purpose. It was sometimes difficult to get the money on time from the Federal authorities in Washington, but to say the least, the office in Tallahassee was an expensive endeavor. Butler's estimate for surveys and salaries for the year 1826 made on December 29, 1825, was as follows:

Surveying of lands during the year in East and West Florida, including 370 townships, Indian boundaries, and a few private claims which may come within the contemplated area .....	\$43,280.00
Salary of the surveyor general .....	2,000.00
Salaries of clerks at \$1,000 each .....	2,000.00
Office expenses of the year .....	500.00
Total	\$47,780.00 <sup>39</sup>

The cost was increasing year by year. Salaries had to be added for extra clerks, draftsmen, and calculators, to say nothing of the increase in personnel of the surveyors in the field.

Bad weather, the hot Florida climate, and yellow fever slowed down the work in some sections of the Territory. At first it was generally considered that no surveying could be done during the summer months, especially in the swampy

<sup>37</sup> *Ibid.*, March 9, 1833.

<sup>38</sup> *Ibid.*, October 3, 1832.

<sup>39</sup> Butler to Graham, December 29, 1825, General Land Office.





## THE QUESTION OF LANDS

areas, but many attempts were made to work the year round. In 1827 the survey in West Florida had to be suspended entirely on account of a yellow fever epidemic. Many of the surveyors suffered from the disease, and several men working as helpers died in Escambia county.<sup>40</sup>

Indian depredations and the Seminole War did more to hamper the work of the surveyors than any other one thing. The Indians often scalped members of survey parties in the sparsely populated sections, or frightened them away, in an effort to stop the work. In 1827 Robert Butler suspended all survey work because of the risk in putting workers in the field.<sup>41</sup>

The records of the Surveyor General's office were of vital importance, and it was expedient that they be kept in the greatest safety. Agitation was begun in 1837 for the construction of a new fireproof building in which to house these records, since the office in Tallahassee was nothing but a makeshift. But Congress refused to appropriate the necessary \$6,800.00 which was asked to erect and equip a building.<sup>42</sup>

On October 6, 1843, President John Tyler ordered that the land office be moved from Tallahassee to St. Augustine, and an executive order was sent to V. Y. Conway, who had succeeded Robert Butler, to make preparations for moving. St. Augustine was now nearer the center of surveying operations than Tallahassee. Conway was ordered to secure suitable accommodations for all the office records, archives, and equipment.<sup>43</sup> Work continued uninterrupted from the new office in St. Augustine, and by the end of the Territorial period a great portion of Central Florida had been surveyed, as well as the east coast, but there had been no real demand for surveys in the latter place. It was not until after the Territorial period

<sup>40</sup> *Ibid.*, October 3, 1827.

<sup>41</sup> *Ibid.*, January 15, 1827.

<sup>42</sup> Hayward to Butler, February 7, 1838, General Land Office.

<sup>43</sup> Hayward to Conway, October 10, 1843, General Land Office.



## FLORIDA DURING THE TERRITORIAL DAYS

that development came to that section south of a line drawn from Tampa Bay to St. Augustine.

The Commissioner of the General Land Office in Washington directed the operations in Florida as well as in the local offices throughout the other territories. George Graham served in this capacity until 1830, when he was succeeded by Elijah Hayward; both were very efficient. Their correspondence with Robert Butler was long and tedious. Detailed reports were sent to the Commissioner at the end of each three months' period, as well as copies of all the plats of the land which had been surveyed. It was not uncommon for Graham to return Butler's reports for corrections; such was the case on April 14, 1828. Graham wrote Butler that "the township plats and field notes which were received with your letter of the 25 ulto. are hereby returned in consequence of error and imperfection, some of which are herein pointed out."<sup>44</sup>

The Commissioner of the General Land Office instructed Butler as follows:

Contracts for 1826 surveys should be made conditional, that is, money should not be stipulated to be paid until Congress shall have made an appropriation for the object. Contracts are returned that they may be altered in this respect. The amount of each contract is a little too much. It is necessary that the contract should specify the particular township, section, and lines that the contractor is to survey, and that no contract should be entered into with any one individual for a greater quantity of surveying than he can personally attend to and execute within one year.<sup>45</sup>

Hayward was even more insistent than Graham upon promptness, accuracy, and efficiency in the Surveyor General's office. He criticized the work of some of the surveyors, and served notice on them all that they must be more careful in the future.

<sup>44</sup> Graham to Butler, April 17, 1828, General Land Office.

<sup>45</sup> *Ibid.*, October 7, 1825.



Hayward took this step in all good faith, however, because he believed the surveyors had not lived up to their contracts. He told them that "the government preferred delay to shoddy work."<sup>46</sup>

Other phases of the Territorial land problems were handled by the local land offices, the first of which was established in Tallahassee early in 1825. This office was designed to handle the disposition of lands in West Florida. The local land office was headed by two officers, the Register and the Receiver. The Register had charge of the entry of all lands, and the making ready of any land sale within his district. All land was sold for cash and was disposed of in as small as half-quarter sections of eighty acres. The actual purchase was made from the Receiver, who took care of all the purchase money and issued duplicate receipts. One receipt was retained by the purchaser as evidence of his purchase until a patent could be received; while the other was given to the Register after the patent had been received. The receipts were entered on the register's book; at the end of each month all receipts were forwarded to the Commissioner of the General Land Office in Washington, together with the abstracts of the sales during the same period. A journal of sales was also kept in the office of the Register and the Receiver, along with a map, so that any one who was interested might see exactly what had not been sold.<sup>47</sup>

Richard Keith Call was made Receiver of the Tallahassee land office, and George W. Ward became the first Register.<sup>48</sup> Both were appointed for a four-year term, and were required to make bond of \$40,000.00. Robert Hackley succeeded Ward and M. I. Allen succeeded Call in 1835; Henry Washington succeeded Hackley in 1838.<sup>49</sup> The Tallahassee office was formally opened in 1826. At that time quarter-sections became

<sup>46</sup> Hayward to Butler, April 18, 1833, General Land Office.

<sup>47</sup> Graham to Butler, February 13, 1825, General Land Office.

<sup>48</sup> Graham to Ward and Call, February 28, 1825, General Land Office.

<sup>49</sup> Hayward to Hackley and Allen, October 8, 1838, General Land Office.





## FLORIDA DURING THE TERRITORIAL DAYS

available to settlers for one dollar and twenty-five cents per acre.

A second land office was established at St. Augustine on July 1, 1826, for the purpose of serving East Florida. William H. Allen was appointed receiver, and Charles Downing was made Register. W. H. Simmons and J. C. Cleland succeeded Downing and Allen in 1837. Simmons held office throughout the remainder of the Territorial period, but George W. Cole took over the duties of Cleland in 1840.<sup>50</sup>

By 1840 there was increasing demand for the creation of another land office, preferably in Middle Florida, since the two already established were located two hundred and fifty miles apart in East and West Florida. Furthermore, the demand for land in Middle Florida was increasing. A settler in Alachua County or Columbia County had to make a journey of about two hundred miles, and at expense sometimes of about half the price of the land, in order to enter his lands. In 1840 the citizens of Newnansville petitioned Congress to establish a land office in that town.<sup>51</sup>

After considerable delay, Congress passed a law on September 5, 1842, creating the Alachua land district. Sam Russell and John Parsons were appointed Register and Receiver respectively, and were instructed to go immediately to St. Augustine to learn the duties of their office from the Register and the Receiver of that place. They also received instructions directly from the Commissioner of the General Land Office.<sup>52</sup>

The new land district included all of the territory "east of the Sewanee River and west of the line dividing ranges twenty-four and twenty-five, except that lying east of the St. Mary's River, north of the basis parallel."<sup>53</sup> Newnansville was favorably located for a land office. Very little land in that section had

<sup>50</sup> Graham to Butler, July 1, 1826, General Land Office.

<sup>51</sup> Petition to Congress, April, 1840, House of Representatives Files.

<sup>52</sup> Blake to Russell and Parsons, September 17, 1843, General Land Office.

<sup>53</sup> *Statutes at Large*, 27 Congress, 2 Session, 567.



## THE QUESTION OF LANDS

been sold, but hundreds of people were beginning to settle in Middle Florida.<sup>54</sup>

Public land sales, which were held at the different land offices were largely attended by the Territorial frontiersmen. These sales were supervised by the Register and the Receiver of the land office, upon instructions from the Commissioner of the General Land Office in Washington. A forthcoming sale was given much publicity in the columns of the several Territorial newspapers, and generally the sales were anticipated with a great deal of excitement. The President of the United States proclaimed the day upon which a sale was to be held. With the exception of the sale announced for May, 1839, all Tallahassee sales were held as scheduled.<sup>55</sup> The St. Augustine land office

<sup>54</sup> Conway to Blake, January 4, 1843, General Land Office.

<sup>55</sup> The dates of the land sales at Tallahassee were as follows:

Date of Proclamation	Date of Sale
January 26, 1825 .....	3rd Monday in May 1825
May 24, 1826 .....	3rd Monday in January 1827
January 10, 1827 .....	3rd Monday in May 1827
May 28, 1827 .....	3rd Monday in December 1827
October 4, 1828 .....	3rd Monday in January 1829
February 24, 1829 .....	3rd Monday in May 1829
April 4, 1829 .....	3rd Monday in July 1829
October 5, 1829 .....	1st Monday in February 1830
June 5, 1830 .....	1st Monday in October 1830
March 25, 1831 .....	1st Monday in July 1831
July 7, 1834 .....	1st Monday in December 1834
November 21, 1834 .....	1st Monday in January 1835
June 8, 1843 .....	1st Monday in October 1843

The St. Augustine sales were as follows:

Date of Proclamation	Date of Sale
February 15, 1828 .....	2nd Monday in May 1828
March 25, 1831 .....	4th Monday in July 1831
July 7, 1834 .....	2nd Monday in December 1834
October 13, 1835 .....	March 7, 1836
July 7, 1838 .....	November 5, 1838
October 11, 1838 .....	December 3, 1838
December 5, 1838 .....	March 4, 1839
March 8, 1839 .....	June 10, 1839

Taken from a list of Presidential Proclamations pertaining to Territorial Florida, General Land Office.





had very few public sales, though one was proclaimed as early as May, 1828. It was postponed from time to time, and finally held on March 4, 1839.<sup>56</sup> The postponement of some of these sales was probably due to the Indians and their interference with the gathering of crowds. Another reason, too, was that the demand for land in East Florida was not so great as it was in the rich farming section of Middle Florida. There were a large number of private land claims in East Florida, which also accounts for the relatively small amount of land sold in that district.

The Newnansville land office conducted only one publicly announced sale during the Territorial period. It was held on December 16, 1844, under the proclamation of June 24, 1844. This office, however, became the most important land office in Florida after 1845.<sup>57</sup>

The land sales often lasted for several weeks or longer. A certain number of townships were offered for sale, and they remained on the market until sold, no matter how long after the actual sale date. This meant that after the first sale land was on sale virtually all the time at the various land offices. But the age-old maxim of "first come first served" was invoked, and most of the best and richest lots were sold very early.<sup>58</sup>

In Middle Florida land was at a premium, beginning in 1825 with the first sale. The attractiveness of the farming lands, and the location of the capital at Tallahassee brought a rapid stream of newcomers into that area. By 1830, a total of 336,567.50 acres of land had been sold in Middle Florida by the public land office, whereas none had actually been sold at St. Augustine.<sup>59</sup> In the same year Middle Florida claimed 15,779 of the 34,730 Territorial population. East Florida had only 8,953 inhabitants and over in West Florida, with Pensacola as the chief city

<sup>56</sup> *Ibid.*

<sup>57</sup> *Ibid.*

<sup>58</sup> *Star of Florida*, July 6, 1843.

<sup>59</sup> *American State Papers, Lands*, VI, 198.



where there was no land for public sale, the census showed 9,478 people.<sup>60</sup>

The planters from the southern states continued to migrate into Middle Florida, for the 1840 census showed a population there of 34,238 out of 54,477 listed in the entire Territory.<sup>61</sup> The amount of land sold in Middle Florida throughout the Territorial period amounted to 796,891.81 acres, as compared to 70,155.04 acres sold at the St. Augustine office and 5,458.78 acres at the Newnansville office.<sup>62</sup> The St. Augustine district contained in all 16,369,587 acres; whereas the Tallahassee district was made up of 9,391,188 acres and the Newnansville district 2,662,279 acres.<sup>63</sup> The average price per acre of all land sold in Florida during this period was \$1.29.<sup>64</sup>

The United States land policy for the Territory of Florida was a liberal one. Since sales were held frequently, choice lands were offered, and the price was low. These liberal terms served as an inducement to prospective settlers, but the Seminole Indian War kept many immigrants away for a number of years. The treaty of 1819 confirmed the rights of Floridians holding land, and also granted to each settler six hundred acres in fee simple. Later, pre-emption rights were given for a limited amount of lands, and before many years had passed the Floridians joined the agitation for an outright pre-emption law.<sup>65</sup>

In February, 1836, a bill giving pre-emption rights to Floridians was passed by the Congress and approved by the President on April 22, 1826. It reads as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That every person, or legal representative of any person, who,

<sup>60</sup> *Fifth Census*, 1830, 156.

<sup>61</sup> *Sixth Census*, 1840, 97.

<sup>62</sup> Blake to Levy, June 22, 1844, General Land Office.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*, December 18, 1844.

<sup>65</sup> C. M. Brevard, *History of Florida*, II, 94.



## FLORIDA DURING THE TERRITORIAL DAYS

being either the head of a family, or twenty-one years of age, did, on or before the first day of January, in the year one thousand eight hundred and twenty-five, actually inhabit and cultivate a tract of land situated in the Territory of Florida, which tract is not rightfully claimed by any other person, and who shall not have removed from the said Territory, shall be entitled to the act of pre-emption, in the purchase thereof. . . . Provided, that no person shall be entitled to the provisions of this section, who claims any tract of land in said Territory, by virtue of a confirmation of the Commissioners, or by virtue of any act of Congress. . . .<sup>66</sup>

The law was enthusiastically received by the squatters who had hoped for such sanction by Congress. Soon after the bill's passage the *Pensacola Gazette* declared that "The pre-emption bill has become a law—next to the grand canal this was the most important act for Florida. It is the salvation of much of the present population."<sup>67</sup>

The settlement of the pre-emption claims was handled through the office of the General Land Office in Washington, and thence transmitted to the local land offices in Tallahassee and St. Augustine. The claimant applied for an entry of lands at the nearest office, and at the same time was required to pay for his land in cash at \$1.25 per acre. The evidence in these cases was a written affidavit, sworn to and duly certified. All pre-emption lands had to be located in a legal section, or fractional section of a township. No head of a family could obtain more than one pre-emption. The Registers and the Receivers of the local land offices were instructed to be careful and not to allow grown sons of settlers to obtain pre-emptions if their fathers had done so.<sup>68</sup>

The pre-emption claims were recognized at the public land sales in the Territory. The squatters usually waited, however, until their lands were in danger of being sold before they

<sup>66</sup> *Congressional Debates*, 19 Congress, 1 Session, 10.

<sup>67</sup> *Pensacola Gazette*, May 6, 1826.

<sup>68</sup> Graham to Registers and Receivers, July 13, 1826, General Land Office.





## THE QUESTION OF LANDS

actually put in claims. The following announcement is typical of those accompanying the proclamations of public land sales:

Every person claiming right of pre-emption to any of the lands designated in the above proclamation (for the sale of public lands) is requested to prove same to satisfaction of the Register and Receiver of the proper land office, and make payment therefor as soon as practicable after seeing this notice, in order that the claim may be adjudicated, by those officers agreeably to law, in due time, prior to the day appointed for the commencement of the public sale, and all claims not duly made known and paid for prior to the date aforesaid, are declared by law to be forfeited.

The above announcement was signed by John M. Moore, acting Commissioner of the General Land Office, but it was issued by order of the President.<sup>69</sup>

In 1840 an armed occupation bill for Florida was introduced in Congress. It was intended to encourage settlers to penetrate the dangerous Indian zones of the Territory through grants from the Federal government. Congress was greatly disturbed by the long duration of hostilities with the Seminoles, and there was much hostility toward the bill.<sup>70</sup> In the Senate, the feeling prevailed that there was need for soldiers—not settlers—on the Indian battle fields, but Thomas Hart Benton, the westerner who introduced the bill, fought for it until it became law. His desire was to see two thousand settlers making their way into Florida at the expense of the government, all armed with the usual supplies of a regular soldier and seeds necessary to raise crops. Benton contended that individual strongholds and firm occupation of the land in the region where the Indians were giving most trouble would aid greatly in subduing the red men. The *Florida Herald*, supporting the measure, said:

<sup>69</sup> MSS, Presidential Proclamations pertaining to Territorial Florida, General Land Office.

<sup>70</sup> *National Intelligencer*, January 9, 1840.



## FLORIDA DURING THE TERRITORIAL DAYS

Mr. Benton's bill proposed to do so much that meets with our wishes, that we heartily support it and hope other well wishers will support it. Unless some such system is adopted, millions will be spent for benefit of a few. . . . We desire to see this bill become a law. It proposes a new system that is of great importance to the country. Let adventurers take the soil or it falls to the savages or may be haunt of a worse and more dangerous enemy.<sup>71</sup>

The bill became law on August 4, 1842. It was entitled "An act for the armed occupation and settlement of the unsettled part of the Peninsula of East Florida," and it provided that

any person, being the head of a family, or over eighteen years of age, able to bear arms, who has made or shall, within one year from and after the passage of this act, make an actual settlement within that part of Florida situated and being south of the line dividing townships numbers nine and ten, south and east of the base line, shall be entitled to one quarter section of said land. . . .<sup>72</sup>

The land was granted under the following conditions: (1) All persons desiring to settle must obtain a permit from the Register and the Receiver in one of the local land offices. (2) Each settler must reside on his land for a period of five years. (3) The settler must erect a house on the land, and cultivate at least five acres of land. (4) Settlement must take place within one year after the grants had been made. The law also provided that if a man died before the five-year period expired, his land went to his widow or his heirs at law. Not more than 200,000 acres of land were to be taken for settlement under this act. The President reserved the right to suspend the rights of this act on three months' notice.<sup>73</sup>

The law was highly pleasing to East Florida. It was East

<sup>71</sup> *Florida Herald*, February 27, 1840.

<sup>72</sup> *Statutes at Large*, 27 Congress, 2 Session, 502.

<sup>73</sup> Hayward to Registers and Receivers, August 25, 1842, General Land Office.





rather than West Florida that suffered most from the Indians; hence East Florida stood to benefit from the act more than West Florida. David Levy, Territorial delegate in Congress, was bitterly criticized by the *St. Augustine News* because he had not given the bill his full support. The *News* declared that Levy "was so busy endeavoring to get Florida admitted as a state that he could not spare time to superintend the armed occupation bill, and to have it properly reported to the house."<sup>74</sup> Incidentally, many of the inhabitants of East Florida were opposed to Florida's being admitted into the Union at that time.

The armed occupation law gave only one year's time in which the lands might be claimed under its provisions. People from the southern states, particularly Georgia, immediately began to move in, and in the spring of 1843 there was a noticeable influx of strangers. Most of them settled in sections along the Indian River, St. Lucia, and Lake Worth. The lands farther south were claimed by men who were willing to risk Indian dangers to get a start on the highly-praised Florida lands.<sup>75</sup>

About one thousand permits were granted in a year's time from the two offices—St. Augustine and Newnansville; and Newnansville granted an additional six hundred. The grants were 160-acre tracts each, and the allotted 200,000 acres were almost all taken up.<sup>76</sup>

The armed occupation act rapidly promoted Florida's development. With the settlers came their wives, their families, and their slaves; and many large land-holdings date from this time. Another immediate effect was the suppression of Indian depredations and hostilities which had, for so many years, retarded the settlement and development of that region of the Territory.<sup>77</sup> The opening up of this region under the armed

<sup>74</sup> *St. Augustine News*, August 6, 1842.

<sup>75</sup> *National Intelligencer*, April 8, 1843.

<sup>76</sup> *St. Augustine News*, August 5, 1843.

<sup>77</sup> *St. Augustine News*, June 10, 1843.



## FLORIDA DURING THE TERRITORIAL DAYS

occupation act, plus the lands settled by pre-emption claims, also the sale of lands by the three land offices, and the validation of the Spanish land grants meant that practically the whole of the inhabitable portions of the Territory were settled by 1845. Most of the area, however, was still sparsely settled, but as far as the public domain was concerned the Territory had been made ready for statehood.



## Chapter VI: SOCIAL AND ECONOMIC TRANSITION

THE CUSTOMS AND HABITS OF THE TERRITORIAL DAYS WERE BASICALLY Spanish; but with the infiltration of Americans from all over the nation, particularly from Georgia, the Carolinas, and Virginia, Florida society gradually changed its complexion. In 1821 social life in Florida was centered around the Catholic Church, and its influence was strong for many years, but with the coming of American rule, the end of a Catholic society was certain. Though the customs and traditions which were common to the Spanish gave way to the hearty life of the American frontiersman, the remnants of Spanish society enlivened the customs of the new Territorial populace.<sup>1</sup>

Middle Florida was the first section of the newly acquired Territory to become typically American, for it was the rich farming lands around Tallahassee that offered much to the speculator and the settler. To Middle Florida went those persons who wished to farm on a large scale. They carried with them their slaves and servants, and this area became the center of the plantation region. The plantations were given romantic names; among them were "Waukeenah," the home of John Gamble; "Lipona," an anagram of Napoli, the home of Achille Murat; "Belmont," the plantation of Thomas Randall; "El Destino," the home of the Nuttals; and "Casa Bianca," the plantation of Joseph M. White. This plantation group was noted for its intelligence and wisdom.<sup>2</sup>

<sup>1</sup> C. M. Brevard, *History of Florida*, I, 193.

<sup>2</sup> R. H. Rerick, *Memoirs*, I, 162.





## FLORIDA DURING THE TERRITORIAL DAYS

To East Florida came the immigrant who wanted to engage in the citrus business, or the sugar industry. East Florida was also inviting to the old and feeble, and to the invalid suffering from pulmonary ailments. The warm climate, the numerous lakes and rivers, and the abundance of fish and game attracted many to this region. Northern capitalists looked to East Florida, also, as a place where they might invest their money; this region possessed business opportunities not enjoyed by any other part of the Peninsula.<sup>3</sup>

West Florida was not so attractive as other sections of the Territory, but Pensacola offered advantages in the lumbering industry and in commerce not enjoyed elsewhere. Since West Florida and Pensacola did not attract as many new settlers as some of the neighboring communities, the *Pensacola Gazette* dubbed the city a "Rip Van Winkle." It said further: "New Orleans, when we went to sleep, was a town (1821) of 30,000 people, but now they have 60,000 (1836). Mobile has grown, and other towns have grown up around us like mushrooms, yet we have slumbered on. . . ." <sup>4</sup>

The best society of the Territory centered in and around Tallahassee, where resided the Territorial "barons" on their plantations. Parties, balls, and picnics were numerous, and were attended by the old as well as the young. In addition there were literary clubs, quilting parties, dinners, and suppers at which many were cordially welcomed. The much talked-of southern hospitality prevailed at all times. At many of the leading affairs were found such prominent persons as the Duvals, the Calls, the Murats, and the Whites. Formality was disposed of at most of the social functions, and in its place was added merriment and fun; after all, Florida was virtually still a wilderness.<sup>5</sup>

Mrs. "Florida" White, wife of the Congressional delegate.

<sup>3</sup> *St. Augustine News*, June 24, 1843.

<sup>4</sup> *Pensacola Gazette*, May 14, 1836.

<sup>5</sup> Ellen Call Long, *Florida Breezes*, 72.



## SOCIAL AND ECONOMIC TRANSITION

Joseph M. White, was considered the most beautiful lady in Tallahassee society. The most interesting person attending the Tallahassee parties was Achille Murat, the Italian Prince. He was likable, yet eccentric and peculiar. His conversations with Governor Duval monopolized many dinner parties for which no formal entertainment had been planned. When asked by the governor one evening if he ever indulged in the sport of hunting, Murat replied, "No, I not much understan the hunt—bote my people somtime keel ze big bird—how you call heem—fly so," (imitating with his arms the slow wheeling motion of a turkey buzzard). The governor suggested the name for Murat, to which he answered, "Yaas, Turkey Boozard. I roast heem; I fry heem, I stew heem, bote by Gar, soir, he ees no good."<sup>6</sup>

The most interesting sport enjoyed by the Territorial barons was horse racing, and the most popular course was near Tallahassee. The racing season began each year in February, and lasted for several weeks. The moderate climate of Florida presented ideal conditions for the sport. Lovers of the turf came from far and wide to witness the races. Some of the best horses in the country were entered there. Days before the races began, people filled the two hotels in the town. The most prominent people attended, the ladies always dressed in their best. They would bet their gloves or other bits of clothing as stakes on the races, whereas the gentlemen indulged heavily with cash or land. The grand stand presented a radiant picture with its many plumes and flowers, velvets and silks. Among the serious-minded men the conversation might drift to "nullification," to "the bank," or to local and national politics, but among the less serious-minded the horses and the race were the major topics of conversation. The ladies talked of their dresses and of their gentlemen friends. There was some drinking among the men, and mint julep was a matter of course for the Territorial

<sup>6</sup> MSS, Sketch of Achille Murat, Call Collection.



gentleman. The Tallahassee track was a good one, a circled mile enclosed on both sides. The judges' and the spectators' stands were on the inside of the track, but special places were reserved for the carriages on the outside. Most of the ladies remained in their carriages, and were surrounded throughout the race by ardent admirers or courtiers.<sup>7</sup>

The horses for the February, 1842, race were among the finest ever offered on the Tallahassee track. From the Robert Elliott stable in North Alabama came the famous racers "Ark-luka," "Santee," "Veto," and "Virginia Turnstall." Also from Alabama came "Tarquin," "Peoney," and "Lizzy" owned by J. H. Bardfutt. F. P. Gerows entered "Fifer," "Clarissa," "Miss Jarrett," and "Tacon." From the stable of Judge Alfred Iverson in Georgia were entered "Mary Luckett" and "Zal-dener." Several horses were also entered from Marianna. "Ark-luka," claimed to be the fastest horse in America at that time, won most of the honors in this particular racing season.<sup>8</sup>

Since there was no race track at Apalachicola, the people of that town often visited the track at Tallahassee. The Marion track in the capital city was known all over the Territory. The 1843 racing season in Tallahassee was announced in the *Florida Journal*, published in Apalachicola, for five days beginning January 10 as follows:

*1st day*—Sweepstake for three-year old colts, 2 mile heats. Subscription, 5 bales of cotton, forfeit 2 bales.

*2nd day*—Jockey Club purse \$275. 2 mile heats, \$50 for second best horse.

*3rd day*—Jockey Club purse \$425. 3 mile heats, \$75 for second best horse.

*4th day*—Proprietors purse \$200. Mile heats best 3 in 5. \$25 for second best.

*5th day*—Sweepstakes for all beaten horses. \$25 subscription with \$25 added by proprietors. One mile heat.<sup>9</sup>

<sup>7</sup> E. C. Long, *Florida Breezes*, 92-104.

<sup>8</sup> *Star of Florida*, February 3, 1842.

<sup>9</sup> *Florida Journal* (Apalachicola), November 19, 1842.





All money bet was in specie. The announcement was made by Thomas Kirk, proprietor of the Marion track.

A race track was operated in St. Joseph by John D. Gray, but it did not enjoy the popularity that the Marion course in Tallahassee boasted. The season usually began in St. Joseph about the middle of February and lasted for five days. Racing on these tracks was one of the most popular entertainments of Territorial Florida.<sup>10</sup>

All of the Territorial towns provided places for diversion and pleasure, for, surprising as it may be, many of the people in this frontier society were socially inclined. Public dinners, banquets, and balls were common in all of the communities. In Pensacola were located the Collins House and the Wilkins Hotel, where many social affairs were held in honor of notable persons of the city. If a person of outstanding repute visited Pensacola, a committee of citizens would prepare a public dinner, to which every one in town was invited. After a sumptuous repast, toasts were given until the early morning hours. As many as thirty or forty toasts were often drunk. At a public dinner given Richard Keith Call at the Collins House in 1824, toasts were drunk far into the evening. Among them were the following: "the Government of the United States," "President of the United States," "Governor of Florida," "Richard K. Call," "General Andrew Jackson," "General Lafayette," "Memory of Washington," "Government of Florida," "Territory of Florida," "Our Sea Board," "Internal Improvements," "Pensacola," and "Woman." No banquet was ever complete without a most rousing toast to Andrew Jackson, for he remained the idol of the Territorial people as long as he lived. Very few "prepared" speeches were delivered; but any one who felt like talking could usually get the floor.<sup>11</sup>

One of the oldest places of entertainment in Pensacola was

<sup>10</sup> *St. Joseph Times*, September 12, 1840.

<sup>11</sup> *Pensacola Gazette*, September 25, 1824.



## FLORIDA DURING THE TERRITORIAL DAYS

Eagle Tavern, which was erected during the period of Spanish occupation. It catered to the traveler, and advertised "a good bath house in connection with the tavern where either hot or cold baths may be taken at any time." The Tavern soon gave way in popularity, however, to the Collins House.<sup>12</sup>

Tallahassee also boasted of a number of hotels and boarding houses, which not only attracted the travelers, but also served as places of entertainment for the local citizenry. The City Hotel, Planters Hotel, Florida Hotel, and Washington Hall, all had notable reputations. The following rates were quoted for the Florida Hotel by H. B. Fitts, the proprietor:

Board and lodging, per month, \$18.00  
Board without lodging, per month, \$15.00  
Man, Horse, per day, \$1.50  
Breakfast, \$0.37½  
Dinner, \$0.50  
Supper, \$0.37½  
Lodging, \$0.18<sup>13</sup>

Jacksonville, St. Augustine, Apalachicola, and St. Joseph were centers of social activities, and were well supplied with taverns and hotels.<sup>14</sup> In St. Augustine most of the public affairs were held at the old government house. This beautiful building was often gaily decorated for large balls. Dancing was very popular among people of all ages, and it was not uncommon for a hundred or so couples to enjoy an evening of dancing at the government house.<sup>15</sup> The Spanish dance was well known in St. Augustine, as well as other Florida towns. Ellen Call Long describes this dance as follows:

It is a gliding swinging movement, particularly adapted to display of graceful actions, but very intricate. The people dance it well but beautifully. . . . There is more latitude

<sup>12</sup> *Pensacola Floridian*, October 8, 1821.

<sup>13</sup> *Florida Advocate* (Tallahassee), January 3, 1829.

<sup>14</sup> *Florida Journal*, December 3, 1842.

<sup>15</sup> *Florida Gazette* (St. Augustine), August 4, 1821.



## SOCIAL AND ECONOMIC TRANSITION

at a ball than other entertainments, more freedom for flirtations, which ladies married and single comprehend. Girls are usually present from Virginia, Carolinas, and Georgia. . . .<sup>16</sup>

The theatre was also a common place of amusement in Pensacola and Apalachicola, but it did not become popular in Tallahassee and St. Augustine until after the Territorial period. Traveling companies of players sometimes visited Pensacola and remained for several weeks at a time, playing on three or four evenings in each week. As early as 1822, a small theatre building was erected for such purposes. Comedies and tragedies, offered by the players, were well attended by the inhabitants of the town. In the spring of 1828 a company of theatrical players performed the popular "Tragedy of Douglas"; the performance was the talk of the town for many weeks after. Two well performed comedies, "Wife's First Lesson" and "Fortune's Frolic," were hilariously received. The theatre was to the people of Pensacola what the race track was to those of Tallahassee.<sup>17</sup>

The Apalachicola theatre engaged some talented players but very few people attended their performances. The *Florida Journal*, commenting on this fact, said:

Mr. Hart and his company have for the past week been performing for our citizens but to very small audiences. The company is the very best that has ever been here. The favorite piece was "Robert Macaire." Mrs. Hart takes a benefit on Monday night and deserves a good house. Our citizens either lack money or a taste for the theatre.<sup>18</sup>

The rough, hearty frontiersmen in the vicinity of Apalachicola evidently found the theatre too refined for their tastes. These people found entertainment in outdoor sports and amusements.

Holiday seasons and customs were generally observed

<sup>16</sup> E. C. Long, *Florida Breezes*, 108.

<sup>17</sup> *Pensacola Gazette*, April 18, 1828.

<sup>18</sup> *Florida Journal*, December 24, 1842.





throughout the Territory; of all such days, Christmas was the most celebrated. Even during the anxious years of the Seminole struggle much gaiety prevailed at Christmas time. The negro slaves were given a week's holiday, amidst much merriment and fanfare. Florida weather was ideal, even in December, and much time was spent by the men and boys in hunting, while the ladies visited and gossiped about past events as well as those of the future.<sup>19</sup>

Thanksgiving day was not generally observed until November, 1842, when Governor Call issued a proclamation calling on the people of Florida to join with other sections of the United States in a regular day of thanksgiving. The custom was endorsed by the Florida newspapers, and within a few years Thanksgiving was a common observance throughout the Peninsula. The day had a religious significance as praise and worship were offered to God for the gifts of the past year.<sup>20</sup>

July Fourth was another day celebrated by the people of Florida in a spirited manner. In Pensacola it was the custom to read the Declaration of Independence, followed by an appropriate address. Pensacola usually observed July 17, the day for the change of flags of the Territory, but the practice never became common throughout Florida.<sup>21</sup>

Several religious customs, dating to the Spanish occupation, were continued by the Floridians; the most renowned of these was the ceremony which took place for "some time previous to the abstemious season of Lent." Before the change of flags the ceremony was very much like that celebrated in Spain and Italy, but afterwards the ceremony was greatly modified. New-comers to the Territory injected a spirit of buffoonery into the celebration. Such modifications were most distasteful to the

<sup>19</sup> E. C. Long, *Florida Breezes*, 199.

<sup>20</sup> *Star of Florida*, December 15, 1842.

<sup>21</sup> *Pensacola Floridian*, July 27, 1822.



older inhabitants. The editor of the *East Florida Herald* maintained that the new practice "showed a corruption of public morals," a statement which caused him to be burned in effigy by those anxious to make a carnival out of a religious custom.<sup>22</sup>

Patgoes was another Spanish custom, though not of religious origin, that was observed in Pensacola. John Lee Williams describes this game as follows:

It is the game of "Patgoes," a kind of introduction to a dance. A wooden bird is fixed in a pole, and carried through the city by some slave; on presenting it to the ladies, they make an offering of a piece of riband, of any length or color, which may suit their fancy or convenience. This is fixed to the bird, which thus becomes decked with an abundant and gaudy plumage. A time and place is then set apart for the fair patrons of the patgoe to assemble, who are usually attended by their beaux, armed with rifles or fowling pieces. The patgoe is shot at, and the fortunate marksman, who first succeeds in "killing" it, is proclaimed king. The patgoe becomes his, by right of custom, and is by him presented to the fair lady he loves best, who by accepting it becomes his queen, and he is also entitled to the invaluable privilege of paying all the expenses of the next ball, over which his majesty and his consort preside. . . .<sup>23</sup>

The serenading of newly married couples was another Spanish practice of long standing which did not fall into disuse. This custom was sometimes carried to the extreme in case of the marriage of a widow or widower. Friends would dress themselves in masquerade and fairly haunt the house of the married pair for days and nights at a time. On several occasions in Pensacola the peace of the city was disturbed by the rioting group until they were bought off with liquor or a feast.<sup>24</sup>

Duelling was a common practice despite the fact that the

<sup>22</sup> *East Florida Herald*, February 22, 1825.

<sup>23</sup> John Lee Williams, *View of West Florida*, 78.

<sup>24</sup> *Ibid.*, 79.





Legislative Council passed in 1832 a law forbidding it. At the same time that it passed this law, the council pronounced a man a coward if he failed to accept a challenge.<sup>25</sup> The unwritten law triumphed, and the custom of giving and accepting challenges continued throughout the Territorial period. The Council nullified the effectiveness of the law simply because it did not wish to see the custom pass into disuse. To most of the councilmen, the acceptance of a challenge was a mark of manhood. Territorial duels were fought strictly according to the code, and participants generally behaved gallantly.<sup>26</sup>

The most famous duel fought during the Territorial period, and certainly the one most talked of, was the Alston-Read duel, which grew out of political animosities. Augustus Alston was a member of the Whig party, and Leigh Read was a member of the opposing anti-bank Democratic party. In the heat of political strife, Read made some statements directly affecting the honor of Alston, who took the remarks as an insult. Alston challenged Read, and a duel was fought between the two men twenty miles north of Tallahassee not far from the Georgia-Florida boundary line. Alston was certain of victory; but he was not quick enough on the draw and was killed instantly. Read was unhurt. Willis Alston, a brother of the deceased man, then living in Texas, hastened to Tallahassee to avenge his brother's death. After two attempts to kill Read, he finally murdered him in cold blood. Willis Alston was seized and placed in a Tallahassee jail, but soon escaped the not too well guarded prison and returned to Texas. The social stigma went with him, however, and after arriving in Texas Alston was rebuked by one Stewart, a former resident of Tallahassee. Stewart expressed very forcefully his disapproval of Alston's action with Leigh Read. Angry words followed, and Alston asked that the matter be settled with guns. Again Alston was

<sup>25</sup> *Journal of the Proceedings of the Legislative Council*, 10 Session, 1832, 18.

<sup>26</sup> C. M. Brevard, *History of Florida*, I, 200.





the winner, and Stewart received mortal wounds. After trying to escape, the victorious dueller was caught and placed in jail, where he remained only a few days. Angry friends of the deceased Stewart broke into the jail and lynched the helpless Alston.<sup>27</sup>

Some duels resulted from drunken brawls. Such was the duel between two friends in Jacksonville, John Pelot and William Babcock. The two met and began to drink; after they became drunk, a challenge was issued and a duel was arranged. At the appointed time Babcock killed Pelot, and soon thereafter the victorious man fled to New Orleans, where he drank himself to death.<sup>28</sup> This duel had a morbid effect on all who knew the two men; but the practice of duelling did not cease.

Closely related to duelling, as it affected public morality, were the controversies affecting the public careers of Territorial officers. Joseph L. Smith, judge of the East Florida district of the superior court, was a man of brilliant mind and excellent training; but he was fond of drink and gambling and possessed of an ungovernable temper. He made some bitter political enemies, who maliciously complained to the Territorial delegate that Smith was not only guilty of drunkenness while on the bench, but also of disorderly conduct and of using foul language. Finally the Legislative Council conducted an inquiry into Judge Smith's conduct, but found very little truth in the accusations. He was exonerated, but his usefulness as a judge was ended and his enemies made life miserable for him thereafter.<sup>29</sup>

Another controversy raged around William F. Steele, United States attorney at Pensacola, whose reputation was considered questionable by his political enemies. Accusations heaped upon him were unbecoming to a public servant, and

<sup>27</sup> *National Intelligencer*, January 13, 1842.

<sup>28</sup> Thomas F. Davis, *History of Jacksonville*, 83.

<sup>29</sup> Thomas Douglas, *Autobiography*, 73.



so hostile did public opinion become that Steele was soon removed from office.<sup>30</sup> Such public indignation over Federal appointees was a strong force in the movement for statehood for Florida.

It was a frontier society that existed in Territorial Florida, and men reared under more favorable conditions found life hard and sometimes even cruel there. But once influenced by the steady stream of new settlers which poured in from the various American states, Florida society became more refined and improved. By 1845 one found life in Florida almost consistent with life in any other southern American state.

Economically speaking, the southern plantation, the staple crop, and the institution of slavery soon became a part of the new American life in Florida after the cession took place. A large portion of the land was rich, porous, and well suited to the growth of cotton and other staple crops. Immigrants who came into the Territory saw the possibility of agricultural development, and helped to spread the news of Florida's possibilities. An agricultural society was formed in East Florida very early in the Territorial period, and gave out much helpful information on the various types of land and what it would best grow. The society also publicized the fact that the climate was well suited for the production of fruits and vegetables.<sup>31</sup>

*Niles' Weekly Register*, commenting on the value of the soil, contended that Middle Florida offered better advantages for agriculture than any other part of the Territory. There was, however, scattered throughout this section a great deal of pine barren lands which could not be profitably utilized for agriculture. West Florida, said Niles, contained some farming lands, but was best adapted for the production of naval stores; and Pensacola was rapidly becoming a center of lumber

<sup>30</sup> William F. Steele's suspension notice, May 29, 1824, Florida Territorial Papers.

<sup>31</sup> *National Intelligencer*, September 18, 1824.





and naval stores exports. The land of East Florida was not highly recommended for agricultural purposes, not because it lacked the necessary elements, but because of the numerous conflicting land titles.<sup>32</sup> Niles' analysis was correct, and Middle Florida did become the best agricultural section of the Territory.

Some of the land in Middle Florida was disposed of by special grants, but most of it was reserved for public use. The attractiveness of the farming lands, and the location of the new capital at Tallahassee brought a rapid influx of population into Middle Florida. Neither St. Augustine in East Florida nor Pensacola in West Florida could keep pace with the rapid growth of Tallahassee and the agrarian section of Middle Florida. The population of Middle Florida in 1830 was given as 15,779, while West Florida had 9,478 and East Florida had 8,953.<sup>33</sup> Ten years later Middle Florida's population including Apalachicola had grown to 34,238, whereas West Florida had only 5,454. East Florida increased by 1840 to 13,651 and South Florida by this time had 1,134 inhabitants.<sup>34</sup> Much of the increase in Middle Florida was due to the fact that the lands were purchased almost as quickly as they were opened for sale. This section was composed of Leon, Gadsden, Jackson, Hamilton, Jefferson, and Madison Counties and lay between the Suwannee River and the Apalachicola River.

Only a few farmers could afford large plantations; the average farm contained about a hundred acres of land. Considerable work was necessary to clear and prepare the new grounds, and for the first two or three years the pioneer farmer lived like a camper or a hunter. The pioneers possessed only the meagre necessities of life, lived in houses made of logs, and sometimes had little or no communication with the

<sup>32</sup> *Niles' Weekly Register*, XXXIII, 53-54.

<sup>33</sup> *Fifth Census*, 1830, 156.

<sup>34</sup> *Sixth Census*, 1840, 97.





outside world. By 1830 there was increased speculation in Florida lands, because the land by that time had proved its worth, and the large farmers and planters were beginning to invest heavily in cotton lands.<sup>35</sup>

The leading crop on the Middle Florida plantations was cotton. The soil was well suited for its growth, and slave life was adaptable to the Florida climate, an important factor in the large scale production of cotton. The price too was good, ranging from ten to twenty cents per pound throughout the Territorial period. The cotton was marketed in Pensacola, St. Marks, St. Joseph, and Apalachicola and then shipped to other points. Pensacola had at first monopolized the produce, but in the later years of the Territorial period it had to share the cotton exports with the newer cities. Premiums were offered by the merchants of Pensacola for the first bale, and for the best quality bale during each cotton season. Other prizes and awards were made to the planters, all of which made Pensacola the best market in the state for many years.<sup>36</sup>

Most of the larger plantations had their own cotton gins, but the small farmer usually had to depend upon his more fortunate neighbor or friend for ginning privileges. A high fee was charged by the ginners. Several cotton mills were built in the Territory by the wealthier settlers. These mills made the warp "so that it was ready for the looms without the tedious process of warping—an art known by all mistresses of the plantations and taught by them to their weavers."<sup>37</sup>

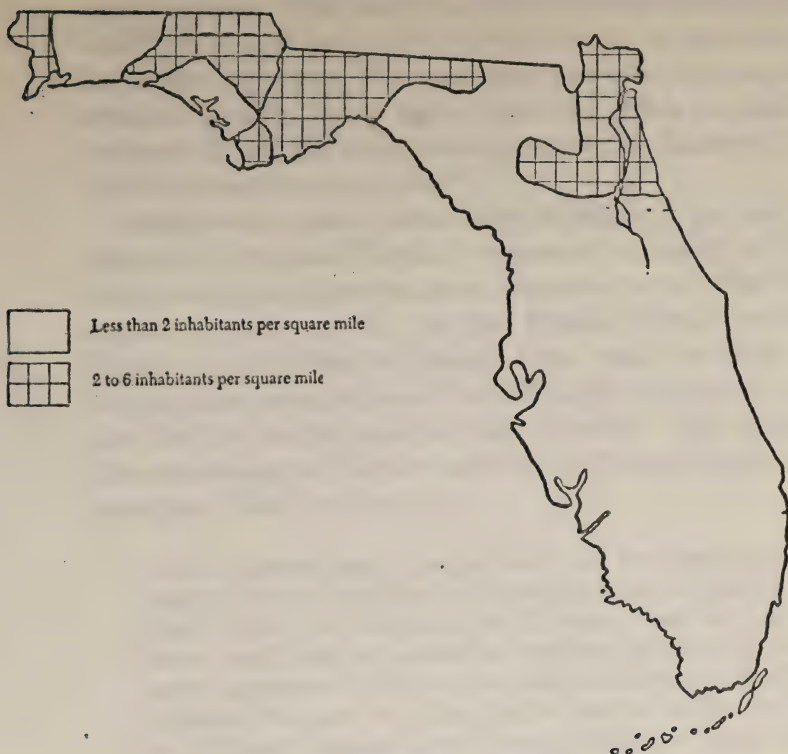
The introduction of sea-island cotton in Florida made farming even more attractive than ever before. The sea-island was the cotton best adapted to the seacoast and islands, but under favorable conditions it also could be raised on the inland farms. The soil of Florida coast lands was a combination of shell re-

<sup>35</sup> E. P. Whitaker to Henry Whitaker, May 8, 1835, Whitaker-Snipes Papers.

<sup>36</sup> *Pensacola Gazette*, October 23, 1824.

<sup>37</sup> Sketch of William Bailey, 2, Bellamy-Bailey Papers.





Courtesy of the Univ. of North Carolina Press

## *Distribution of population in Florida, 1830*

mains, small portions of clay, vegetable matter, and siliceous sand. Cotton did particularly well on such land, and produced a fiber long and glossy. Some lands averaged a bale per acre. The best planters grew on an average about three acres of cotton per hand.<sup>38</sup>

The year 1832-1833 was one of the best cotton years for Florida during the Territorial period. Between July 1, 1832, and July 1, 1833, some 9,675 bales were shipped from St. Marks

<sup>38</sup> J. L. Williams, *Territory of Florida*, 107.



and Magnolia, while nearly as much was shipped from Pensacola.<sup>39</sup> St. Joseph and Apalachicola had not as yet developed into exporting towns. The year 1840, however, was one of the worst. Unusually heavy rains caused the weeds to choke the cotton stalk, and the caterpillar or army worm destroyed much of the cotton that was grown.<sup>40</sup>

Besides cotton, many minor crops including sugar cane were grown in Territorial Florida. It was most promising as a staple crop, and at one time was more attractive to the planter than cotton. As early as 1823 the *East Florida Herald* announced Florida's possibilities for raising sugar cane. In many cases Negro slaves were imported from Georgia plantations to help care for the sugar cane in East Florida.<sup>41</sup> The *Pensacola Gazette* announced similar activities in West Florida several years later. Said the *Gazette*:

This important staple [sugar cane] we are happy to learn is likely to reward the planter beyond his most sanguine expectations. Henry A. Yonge on the Wakulla river has just established a mill and apparatus for working up his crop of cane, and a number of mills we are told are erecting in Gadsden County. We saw the other day a bundle which was raised by William Cameron in this town, which is much superior to any crop we have seen on the Mississippi.<sup>42</sup>

The production of cane increased steadily until the outbreak of the Seminole War, and though not as generally grown as cotton in the middle 1830's, it was an important crop. John Lee Williams expressed the view in 1835 that sugar cane would become the staple crop of the Territory, because he believed that the Florida soil was better suited for cane than cotton. Three types of cane could be grown, Creole, Otaheite, and

<sup>39</sup> *Niles' Weekly Register*, XLV, 148.

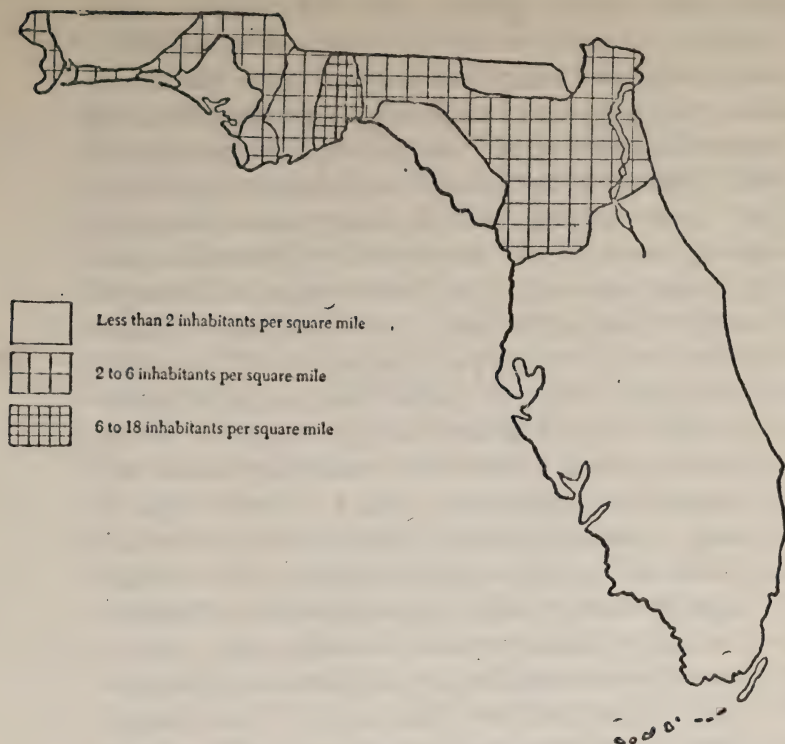
<sup>40</sup> *St. Joseph Times*, September 26, 1840.

<sup>41</sup> *East Florida Herald*, February 22, 1823.

<sup>42</sup> *Pensacola Gazette*, November 12, 1825.







Courtesy of the Univ. of North Carolina Press

*Distribution of population in Florida, 1840*

Ribbon. Ten acres of either would produce a large crop, and could be ground in a wooden mill costing only \$100. The cane required comparatively little work, and was much easier to grow than other crops.<sup>43</sup>

General Duncan Clinch, commander of Fort Drane in Central Florida, cultivated two hundred acres of cane near the Fort in 1836. But the soldiers consumed large quantities of the crop before it was harvested. The lowlands around Fort Drane

<sup>43</sup> J. L. Williams, *Territory of Florida*, 105-106.



## FLORIDA DURING THE TERRITORIAL DAYS

were excellent for the growing of all three varieties.<sup>44</sup>

More cane was grown in the six years from 1829 to 1835 than in any other six years during the Territorial period. People in the vicinity of Tallahassee became highly enthusiastic over the increased production.<sup>45</sup> Sugar became the money crop on three plantations in the Alachua section in 1833. These three plantations were typical of those that grew cane. The largest one, cultivated by forty-seven Negro slaves, produced 160 hogsheads of sugar valued at \$11,200 and 14,000 gallons of molasses valued at \$2,800, a total of \$14,000 or almost \$300.00 per hand. This plantation also produced 4,000 bushels of corn valued at \$2,500, and fodder, rice, beans, and peas valued at \$1,000. This gave a grand total of \$17,500 or \$372 per hand. The second plantation with twenty slaves produced 90 casks of sugar valued at \$5,400; 7,000 gallons of molasses valued at \$1,000; and other crops valued at \$1,000; a grand total of \$7,400; and a per hand yield of \$370. The third plantation worked by twelve slaves produced 50 casks of sugar valued at \$2,500; 7,000 gallons of molasses valued at \$1,500; and 2,000 bushels of corn and other miscellaneous crops valued at \$1,700, a grand total of \$5,700 and a per hand yield of \$475. The aggregate of the three plantations is seventy-nine hands, \$30,600 income, and \$387 per hand.<sup>46</sup> Such yields proved that sugar cane was worthwhile as a staple crop in Florida.

Sugar cultivation had a bright future in Florida, but the keen competition with West Indian and Cuban sugar could not be withstood. There were other factors, too, which helped to reduce sugar production in Florida, including the lack of capital to grow effectively large quantities, the lack of experience on the part of the growers, and unskilled refiners. The Seminole War curtailed output also. All of these things combined

<sup>44</sup> William Campbell to David Campbell, October 29, 1836, David Campbell Papers.

<sup>45</sup> *Niles' Weekly Register*, XXXVII, 56.

<sup>46</sup> *Ibid.*, XLIV, 257.



left Florida with nothing more than the hope that some day she might become a leading producer of sugar.<sup>47</sup> Nevertheless the *St. Augustine News* proclaimed that "the great staple of East Florida when the war is over must be sugar."<sup>48</sup> Other Floridians hoped for the same thing. But while sugar did have its place in Florida agricultural life, it never reached the high productive peak which many expected that it would.

Cuban tobacco stood next to sugar as a prospective staple in the estimation of the small farmer. It was introduced to Florida about 1828 by William P. Duval, and was put on the market in 1830 by John Smith of Gadsden County, who was acquainted with the cultivation of tobacco in Virginia.<sup>49</sup> Tobacco required constant attention, and when correctly cultivated, suckered, topped, and cured produced an average of 700 lbs. per acre. Such a yield sometimes sold for nearly a thousand dollars. But the culture of the weed did not become popular in the Territory. In the first place planters lacked knowledge of proper methods of cultivation and curing. Tobacco planters also underwent great risks in their crops because grub worms and caterpillars often destroyed a large part of it. Storms easily damaged the tender leaves on the five-foot stalks, and often left the tobacco of an inferior grade. Probably the greatest risk the grower assumed in planting tobacco was the likelihood of a flooded market.<sup>50</sup> In spite of these handicaps some planters made money. In fact the Tallahassee *Sentinel* contended in 1844 that the "culture of Florida tobacco yields more profit than cotton," and that the only obstacle which kept the planter from making it a major crop was his carelessness and neglect.<sup>51</sup>

<sup>47</sup> *Ibid.*, XLVIII, 451.

<sup>48</sup> *St. Augustine News*, March 26, 1842.

<sup>49</sup> C. H. Dupont, "History of the Introduction and Culture of Cuba Tobacco in Florida," *Florida Historical Quarterly*, VI (January, 1928), 149.

<sup>50</sup> J. L. Williams, *Territory of Florida*, 107.

<sup>51</sup> *Sentinel* (Tallahassee), January 9, 1844.





## FLORIDA DURING THE TERRITORIAL DAYS

Indigo, too, had great possibilities as a commercial crop in Florida. The *Pensacola Gazette* declared that it was indigenous to the Territory and, next to sugar cane, gave promise of being the most extensively cultivated crop. Indigo had been a principal staple in Florida during the British occupancy, 1763-1783, and had brought high prices in London, but when the Spanish regained control of the Peninsula indigo declined as a major export. When Florida became a part of the United States, the old fields which had been cultivated by the English were still covered with plants. There was little risk in growing the crop, but the market was no longer attractive. The idea prevailed that indigo was an unhealthful crop to raise. Furthermore few people were acquainted with proper methods of cultivation. Consequently indigo never became a common crop.<sup>52</sup>

Rice was a valuable crop where there was a supply of fresh water available with which to flood the fields in dry seasons. The irrigation made the cultivation of rice more expensive than the ordinary crop. The St. Marys River and the Apalachicola River sections were both well suited for the cultivation of rice, because of the excellent lands, and the ease with which they could be flooded. The best farms produced an average of sixty bushels of rice per acre. Such a yield was profitable, for the market price was about seventy-five cents per bushel. In addition the straw made good fodder for the cattle. One hand with a horse and a plow could cultivate ten acres of rice with only a month's labor.<sup>53</sup>

Corn was raised for home consumption but not as a commercial crop. Every farm, large and small, raised some corn, since it was indispensable as a food for the slaves. In fact, many white inhabitants preferred corn bread to wheat bread. The

<sup>52</sup> *Pensacola Gazette*, November 21, 1828.

<sup>53</sup> J. L. Williams, *Territory of Florida*, 108.



corn weevil did much damage to the crops at times, but there was always enough for home use.<sup>54</sup>

Potatoes, both Irish and sweet, were raised for home use, and the yield was generally good. Other crops raised included pumpkins, squashes, Florida coffee, wild pears, watermelons, manila hemp, coonti root, vanilla plants, and citrus fruits.<sup>55</sup>

The cultivation of the orange attracted the interest of the inhabitants of Florida at a very early date. The sweet orange was imported, probably from the West Indies or southern Europe, more than a hundred years before the United States acquired the Peninsula, and its cultivation never died out. The American settlers in North Florida attempted to raise oranges but were only partially successful. It was soon discovered that East Florida was perfectly suited to citrus fruit culture, and that region became the center of the industry.<sup>56</sup> Some citrus fruits were also grown in West Florida around Pensacola, but much less extensively than around St. Augustine.<sup>57</sup>

About one hundred trees were planted per acre, and they began to bear an abundance of fruit within six years. The yield per acre was often \$375. The contemporary accounts often testify to the abundance of the fruit. James Mackey, a soldier stationed at Fort Butler near Volusia, wrote his mother in Savannah in 1838 as follows:

I have procured a barrel of sour oranges for you which will leave here tomorrow. . . . I hope they will arrive soon enough to prevent spoiling. There are the greatest abundance of them in this country, and if they do not grow spontaneously, they have very much the appearance of it. . . .<sup>58</sup>

<sup>54</sup> *Ibid.*, III.

<sup>55</sup> *Ibid.*, III.

<sup>56</sup> *National Intelligencer*, September 7, 1824.

<sup>57</sup> *Pensacola Gazette*, May 30, 1835.

<sup>58</sup> James Mackey to Elizabeth Mackey, November 29, 1838, Mackey-Stiles Papers.



## FLORIDA DURING THE TERRITORIAL DAYS

The cultivation of the orange developed rapidly during the Territorial period. St. Augustine remained the chief center of the industry. From two million to three million oranges were shipped annually from that city between 1821 and 1845. The year 1835-1836 was an exception because a severe freeze killed many of the trees in that year.<sup>59</sup>

In the early 1840's a citrus fly became prevalent among the orange groves in Florida. This menace cut down the production of the orange crop, but did not check, to any noticeable extent, the expansion of the groves. The insect was of tropical origin, and belonged to the coccus family. This particular variety was known as *coccus hesperidum*. It had the appearance of a small fly, and could be seen in the early morning or late afternoon swarming among the trees. Stormy weather aided in the control of the insects, and heavy rains washed the trees clean of them.<sup>60</sup> Much concern was manifested over the fruit fly, because it loomed as a great danger to the citrus industry. The Territorial leaders solicited the aid of the Federal government through David Levy, Florida's delegate in Congress. Levy secured information from the United States consul at Oporto and Pernambuco concerning the remedy that was used by the people in those areas whose orange crops were threatened by the fly. This information was presented to Congress, but Congress did not undertake any effective program of prevention to the citrus fly.<sup>61</sup>

Among other fruits grown in Florida were pomegranates, figs, peaches, persimmons, coconuts, plums, cherries, bananas, papayas, guavas, and olives. But few of these were raised in any abundance. Berries of all varieties, including blackberries, dewberries, bilberries, whortleberries, and strawberries were found in abundance throughout the Territory.<sup>62</sup>

<sup>59</sup> W. W. Dewhurst, *St. Augustine*, 161.

<sup>60</sup> *Sentinel*, December 1, 1842.

<sup>61</sup> *Florida Herald*, September 4, 1843.

<sup>62</sup> J. L. Williams, *Territory of Florida*, 113.





The vast timber lands of Florida were known to be of great economic value even before Florida became a part of the United States. The yellow, or longleaf, pine was the most common of the varieties of pine, and was used for tar, turpentine, and lumber. Among other trees of Florida were the live oak, white oak, red oak, water oak, red cedar, cypress, hickory, magnolia, and the sweet gum. The most valuable, potentially, was the pine tree.<sup>63</sup> In order to keep the virgin forests from being exploited, Congress gave the President the right to put into force some effective method of conservation. He forbade anyone to cut the trees and dispose of the lumber without governmental permission. The people cooperated with the government by reporting persons who violated the law, and as a result the Florida timber was not exploited to any great extent.<sup>64</sup> Pensacola became the lumber center of the Territory. In 1836 two steam sawmills were in operation there, one owned by an individual, and the other by an incorporated company with a capital stock of \$100,000. Sawmills had previously been erected in West Florida. Citizens of the city predicted that Pensacola would become the greatest lumber market of the South.<sup>65</sup>

The lumber industry brought settlers to Florida from all sections of the United States. Lumbermen from various places in the United States inquired about the Florida timber and, getting favorable reports, many of them launched upon the journey to the Territory. A letter written by Stephen Chase of Fryeburg, Maine, to Robert Butler, the Surveyor General, is typical of many such inquiries. It reads as follows:

Several young men in this vicinity, who have been brought up in the lumber business feel desirous of establishing themselves in Florida and wish to purchase a tract of pine timber land, embracing a mill site, capable of carrying three or four

<sup>63</sup> *National Intelligencer*, June 17, 1843.

<sup>64</sup> *Niles' Weekly Register*, XXII, 240.

<sup>65</sup> *Pensacola Gazette*, April 30, 1836.



saw mills. By reason of your official duty, I supposed you would be better able to direct them in their choice of a location than any other person. I therefore take the liberty and ask the favor of your opinion as to a selection of land for that purpose. . . . Will you have the goodness, my dear sir, to point out an eligible situation for the above purpose . . . and inform me, whither any such tract is for sale, and subject to entry at the land office, and what in your opinion, would be the encouragement for an enterprise of this nature.<sup>66</sup>

The Territorial lumber industry, while still in its infancy, gave promise of increased proportions by 1845. With experienced lumber men coming to Florida from the United States to engage in the business and with the good shipping facilities which the west coast towns offered, much timber was cut and exported from the Territory.

The only manufacturing industry of any significance in Florida before 1845 was the making of domestic clothing, and it is impossible to get records of the production in this field. Staple crop agriculture was so profitable that little attention was given to other kinds of manufacturing.<sup>67</sup> A few bricks were manufactured and shipped from Pensacola to New Orleans; and cigar manufacturing gave employment to sixteen or seventeen men in Key West after 1837. Occasionally a shipment of cigars was made to New York.<sup>68</sup> The presence of a number of salt ponds in South Florida encouraged the idea that the manufacture of salt would be profitable. Richard Fitzpatrick made an unsuccessful attempt to develop the industry in 1830, but thereafter the enterprise was abandoned.<sup>69</sup> Some attempted the culture of silk, but few were willing to invest money in so uncertain a venture.<sup>70</sup> So slight was the

<sup>66</sup> Stephen Chase to Robert Butler, April 4, 1832, Florida Agricultural Department Letters.

<sup>67</sup> J. L. Williams, *Territory of Florida*, 114.

<sup>68</sup> J. B. Browne, *Key West*, 125.

<sup>69</sup> *Ibid.*, 112.

<sup>70</sup> *Pensacola Gazette*, November 14, 1828.





## SOCIAL AND ECONOMIC TRANSITION

interest shown in manufacturing that the development of these infant industries was negligible during the Territorial period.

The salvage game flourished in South Florida for many years. Commercial ships which were wrecked on the treacherous reefs were salvaged by groups of seamen engaged in the wrecking business. It was made into an exceedingly lucrative business as the Territorial government allowed the wreckers to claim as high as 95 per cent of the salvage. Shippers criticized the way in which the business was carried on in the Territory, since it was at variance with the practice of the American and British admiralty courts, which allowed only 50 per cent of the salvage.<sup>71</sup> Some very rich cargoes including laces, silks, wines, silverware, and other valuable prizes reached Key West in this way.

Hunting and fishing were Florida's oldest business enterprises. Long before the white man appeared, the Indians sustained themselves by these pursuits. The Peninsula abounded in deer, turkey, quail, geese, duck, and other small game. Many varieties of fish were in abundance along the long coast line, and the numerous lakes and rivers teemed with marine life which was used both commercially and domestically. The interest in salvage and fishing enterprises, however, was negligible when compared to the economic importance of agriculture.

Agriculture and plantation life dominated the economic scene in Florida, especially in Middle Florida. As already noted cotton was the major staple crop, and was raised extensively for commercial purposes. Plantation owners hired experienced overseers to supervise the growth of the cotton and the conduct of the slaves. The overseer of the plantation was an important person; the success of the crops largely depended upon him, especially if the owner spent most of his time away from the plantation. The yearly pay of the overseer

<sup>71</sup> *Niles' Weekly Register*, XXXIX, 163.





amounted to about \$500, but he was sometimes rewarded with a bonus for his good services.<sup>72</sup>

The large plantation was a social and economic unit within itself. It was equipped with a blacksmith shop, stables, a commissary, and sometimes a cotton gin and cotton mill. An ash-hopper, where all the soap for plantation use was made, was a thing of necessity. The work shop was stocked with plows, hoes, shovels, harrows, and other implements for farming. Sometimes plantations possessed a brickyard, a tannery, or a sawmill.<sup>73</sup> Servants did most of the menial tasks about the house, but the mistress supervised their work. Plantation life in Florida during the early Territorial period was a life in the wilderness, and many hardships had to be endured; but by the close of the Seminole War in 1842 plantation life in Florida was comparable to that in the Southern states.

The Negro slave in Florida was treated about the same as in the southern states. A slave code was adopted in 1824 which prohibited Negro slaves from preaching on the plantations without permission from their owners. All gatherings of the slaves had to be attended by a white man. The masters were allowed to whip them for minor offences, but they could not be given over twenty-nine lashes. The Negroes were also forbidden by law to carry firearms of any sort. The owner of the plantation was expected to protect his slave from all harm or dangers. It was not uncommon for the slaves to desert their masters and find refuge with the Indians in the swamps. Most of them were eventually brought back, but some remained with the red men. Before the Territorial period many slaves slipped across the border into Florida and joined the Indians, but after 1821 this practice became less frequent.<sup>74</sup>

The institution of slavery was a burning question through-

<sup>72</sup> James D. Glunt and Ulrich Bonnell Phillips (eds.), *Florida Plantation Records*, 26.

<sup>73</sup> J. L. Williams, *Territory of Florida*, 113.

<sup>74</sup> Lula Keith Appleyard, MSS, *Plantation Life in Middle Florida*, 31-32.



out the United States, and was much discussed in Florida. In general Floridians held the southern view in regard to slavery and resented the intermeddling of the abolitionists. The average plantation owner felt that the north had no business "to discuss their [slaves'] condition any more than we have to meddle with their factory labor."<sup>75</sup> A more sober note was sounded by the editor of the *Pensacola Gazette* when he said: "The curse of domestic slavery has scarcely yet begun to be felt—we speak upon it as a curse, not to the negro but to the white man."<sup>76</sup> By 1845 Florida had become so involved in the slavery issue that she came into the Union on the side of the South in its quarrel with the North. Yet it was not a typical southern state, for, as Ulrich Bonnell Phillips said, "Florida formed in the main a southward extension of the United States rather than an integral part of the South. . . ."<sup>77</sup>

<sup>75</sup> E. C. Long, *Florida Breezes*, 164.

<sup>76</sup> *Pensacola Gazette*, May 17, 1834.

<sup>77</sup> Ulrich Bonnell Phillips, *Life and Labor in the Old South*, 71.



## Chapter VII: INTERNAL IMPROVEMENTS

THERE WAS MUCH NEED FOR INTERNAL IMPROVEMENTS IN Florida in 1821. The Spanish had done very little in this respect during their occupation of the Territory because the long coast line, the good harbors, and the several navigable rivers served as avenues of trade and commerce. Indian trails were used extensively by the early pioneers, and some of them were widened into roads over which wagons and other vehicles of travel might penetrate the interior for some distance.

During the English occupation of Florida (1763-1783), a road had been constructed over an old Indian trail from New Smyrna to St. Augustine. Later it was extended to Cowford (Jacksonville) on the St. Johns River, and from there to the St. Marys River. It was called the King's road, and became well known throughout the American colonies, for all travel from north of the St. Marys came over it.<sup>1</sup> When Florida was ceded to the United States the King's road was serving a definite purpose. It was the only one of its kind on the Peninsula.<sup>2</sup> Thus the former Indian trail had become a pattern by which other roads were to be built during the Territorial period.

<sup>1</sup> E. C. Long, *Florida Breezes*, 112.

<sup>2</sup> There was a road or trail extending from St. Augustine to Pensacola during the British period, but very little use was made of it. It could not be compared with the King's road from St. Augustine to New Smyrna. A Stuart-Purcell Map, dated 1778, shows the trail. The original is in the Public Records Office, London. Copy found in Mark F. Boyd, "A Map of the Road from St. Augustine to Pensacola, 1778," *Florida Historical Quarterly*, XVII (July, 1938), 15-23. It is believed by some that this trail is logically the "Old Spanish Trail." A map of this road is also found in Kathryn Trimmer Abbey, *Florida, Land of Change*, 78.





## INTERNAL IMPROVEMENTS

A great deal of talk, discussion, and agitation on the part of the scattered settlers preceded any actual improvements. It was necessary for them to convince the Congress that internal improvements were necessary before any construction could take place, since it was from the Congress that all appropriations came. Early plans called for a general system of roads, which, with canals and waterways, would connect the various sections of the Territory. A canal from the Atlantic to the Gulf was also demanded, and several actual proposals were made for its construction.<sup>3</sup>

The practicability of a road connecting East Florida with West Florida was established in the spring of 1823 when Colonel George Walton and a party of companions made the journey from Pensacola to St. Augustine overland in fifteen days. They went to St. Augustine to attend the second session of the Legislative Council, the first of which had been held the preceding year in Pensacola. Most of the delegates to St. Augustine took the conventional way of travel in those days—water. But Walton and his party, finding all the water courses full, were successful in following Indian trails to the capital.<sup>4</sup> Florida's delegate in Congress in 1823–1825 brought the attention of Congress to this matter. His predecessor, Hernandez of St. Augustine, had also urged immediate financial aid. With hopes that Florida might soon be one of the United States' most progressive possessions, Congress passed, on February 28, 1824, a bill which gave to the Territory \$20,000 for construction of a road joining East and West Florida plus an extra \$3,000 for surveying. The route of the proposed road, as stated by the bill was as follows:

That the President of the United States be, and is hereby, authorized to cause to be opened, in the Territory of Florida, a public road from Pensacola to St. Augustine, commencing

<sup>3</sup> E. C. Long, *Florida Breezes*, 112.

<sup>4</sup> *Pensacola Floridian*, June 14, 1823.



## FLORIDA DURING THE TERRITORIAL DAYS

at Deer Point, on the Bay of Pensacola, and pursuing the old Indian Trail to the Cowford, on the Choctawhatchy river; thence, to the Ochesee Bluff, on the Apalachicola river; thence in the most direct practicable route, to the site of Fort St. Louis; thence as nearly as practicable on the old Spanish road to St. Augustine, crossing the St. Johns river at Picolata; which road shall be plainly and distinctly marked, and shall be of the width of 25 feet.<sup>5</sup>

The same act also authorized a road which would reach from Cape Sable to the point where the Suwannee River crosses the Pensacola-St. Augustine road. This route would run by way of Charlotte Bay and Tampa Bay, thus serving the entire southern part of the Territory. But no money was appropriated for this road. The act also authorized the President to have surveyed and marked out a third route, one from Cape Florida directly to St. Augustine. The Congress had made a good start. All indications pointed to an enthusiastic backing by Congress of many more projects, but the government had only a limited amount of money to spend on Florida. Twenty thousand dollars was a meagre sum with which to build a road of about four hundred miles.<sup>6</sup>

The act providing for the St. Augustine-Pensacola road did not call for elaborate operations, nor did it indicate anything specific about its construction. Soon after the bill was passed, work was begun near Pensacola by Captain Daniel Burch who supervised most of the construction. The process of building the road through portions of the Territory which were uninhabited was very slow and tedious. John Bellamy, a rich planter who had settled in Jacksonville, got the contract to build the portion of the road not contracted for by Burch. He was recommended by William P. Duval, who assured the authorities that Bellamy would do a good job. Bellamy finished the road in 1826 after having used some of his slaves to do the

<sup>5</sup> *Annals of Congress*, 18 Congress, 1 Session, II, 3199.

<sup>6</sup> *Ibid.*





work. There is no doubt that Bellamy lost money on the contract. The eastern half of the highway, which was used considerably, became known as the Bellamy road. Portions of it are still in use today. The western half of the road was used very little, and was abandoned within a few years.<sup>7</sup>

The opening of the Bellamy road in 1826 was welcomed by the planters of East and Middle Florida. Heretofore the expense of transportation consumed most of the profits on crops which were shipped away. Cotton in large quantities could be profitably grown only on navigable rivers, and the same was true for any crop that could not be condensed into small tonnage. Tobacco was raised chiefly for home consumption. With the road to St. Augustine open, the production of long staple cotton became very attractive and the raising of cattle was increased.<sup>8</sup>

The other two roads proposed in the act of 1824 were constructed later, but over slightly different routes from the original specifications. The road from Tampa Bay to the Suwannee River was completed with the aid of a congressional appropriation and continued on to Jacksonville a few years after the Bellamy road was opened for use, thus bringing a remote section of the Territory into touch with fast growing towns and communities. Some of the work was done by individual aid and enterprise, though Congress was always generous when it was possible.<sup>9</sup>

The King's road, having been closed for some time, was reopened in 1828 as far as Tomoko, a little place about four miles south of St. Augustine; it extended northward ten miles beyond Jacksonville. A few years later the road was opened

<sup>7</sup> Alice Whitman, "Transportation in Territorial Florida," *Florida Historical Quarterly*, XVI (July, 1938), 31; also Sketch of John Bellamy, Bellamy-Bailey Papers.

<sup>8</sup> F. W. Buckholz, *History of Alachua County, Florida*, 106.

<sup>9</sup> Alice Whitman, "Transportation in Territorial Florida," *loc. cit.*, XVI (July, 1938), 31.





all the way to New Smyrna. In 1830, Congress generously gave \$2,000 for repairs and improvements on the road between Tallahassee and St. Augustine; again in the same year it gave \$2,000 for the opening of a road between Marianna and Apalachicola at the mouth of the Apalachicola River. A small appropriation was made for a road between Pensacola and Blakely in Alabama.<sup>10</sup>

The various counties joined the Federal government in road building projects, and especially in the upkeep of the thoroughfares. The county court of St. Johns County ordered Thomas Reynolds, John Dill, and James Hannam in 1822 to serve as road commissioners of that county. Every able-bodied man within twenty miles of the King's road was required to work for twelve days in each year on that road. If he were absent on the days specified for his work, he was fined one dollar.<sup>11</sup> After being reopened in 1828, the road was kept in excellent condition, and was one of the most widely used in the Territory. The War Department constructed several short roads, including one fifteen miles in length from Pensacola to Barrancas in 1823.<sup>12</sup>

Indian hostilities retarded work and repairs on the St. Augustine-Pensacola road after 1835, although the Congress gave \$7,000 for such work just before the Seminole War began.<sup>13</sup> The keen interest that had been manifested in such improvements also decreased as the war dragged on. The Indians were a menace to the workmen as well as their families along the main routes in North and Middle Florida. Work did not end completely, since Congress appropriated sums from time to time to be used either on repairs of old roads or on the

<sup>10</sup> J. L. Williams, *Territory of Florida*, 144.

<sup>11</sup> Road Commissioners to Adams, December 15, 1822, Florida Territorial Papers.

<sup>12</sup> *Pensacola Floridian*, March 8, 1823. Also *Niles' Weekly Register*, XXIX, 128.

<sup>13</sup> J. L. Williams, *Territory of Florida*, 144. Also other appropriations made by Congress in 1835 found in L. A. Thompson, *Digest of Laws*, 59.



## INTERNAL IMPROVEMENTS

building of new ones. The nature and amount of Congressional aid to Florida roads are indicated by the appropriations made by Congress in 1837 and in 1838. They were as follows:

For continuing the construction of the road from the northern boundary of the Territory of Florida, by Marianna, to Apalachicola, \$20,313. Approved, March 3, 1837.<sup>14</sup>

For opening and constructing a road from Tallahassee to Iola, on the Apalachicola river, the sum of \$10,000. For repairing the road, and reconstructing the bridges and causeways thereon, from St. Augustine to Picolata, \$17,300. For repairing the road from Jacksonville, by the mineral springs, to Tallahassee, the sum of \$10,000; the said sums to be expended under the direction of the Secretary of War, out of any money in the Treasury not otherwise appropriated. Approved, July 7, 1838.<sup>15</sup>

After the Seminole War was over, the tempo of road construction again was normal. Old routes were changed and made shorter, and many new roads were built. The Blakely-Pensacola road, finished in 1842, was built between two old roads, and was wide enough to accommodate four-wheel carriages. The new road was much shorter than either of the two old ones. Said the *Pensacola Floridian*, "It will be (when finished) quite an addition for Pensacola."<sup>16</sup>

Mail during the Territorial period was slow and uncertain, especially during the first few years. But as roads were built and improved, mail was carried much more rapidly. Before the St. Augustine-Pensacola road was constructed the Postmaster General had a difficult time in getting a person to carry the entire route. The first bid made in 1823 for the job was \$4,000; it was certain, however, that the postage for the route would not amount to more than \$200 annually.<sup>17</sup> In 1825 a regular

<sup>14</sup> *Statutes at Large*, 24 Congress, 2 Session, 195.

<sup>15</sup> *Ibid.*, 25 Congress, 261.

<sup>16</sup> *Pensacola Floridian*, January 28, 1842.

<sup>17</sup> *Niles' Weekly Register*, XXV, 268.



## FLORIDA DURING THE TERRITORIAL DAYS

schedule was established, and for a time mail went the distance fairly regularly. Yet the *Pensacola Gazette* complained that "for three weeks we have been disappointed with mails. Those which have come brought us far short of the usual supply of papers, and by the last we have received but a single paper from the north."<sup>18</sup> The regular mail schedule between Pensacola and St. Augustine was as follows:

Leave Pensacola Friday at 2 pm

Arrive Tallahassee Sunday at 6 pm

Leave Tallahassee Thursday at 6 am

Arrive St. Augustine Monday at 11 am

Leave St. Augustine Monday at 1 pm

Arrive Tallahassee Saturday at 6 pm

Leave Tallahassee Wednesday at 6 am

Arrive Pensacola Friday at 10 am<sup>19</sup>

Other routes were initiated from time to time and post roads established in various parts of Florida. After the western half of the St. Augustine-Pensacola road was virtually abandoned, mail to the west of Tallahassee was very irregular. The section between the capital city and Pensacola was a wilderness that few people dared traverse without ample protection. West Florida received mail from Alabama, Georgia, and South Carolina more regularly than it did from St. Augustine, because the route to the north through Blakely and Columbus, Georgia, was always open to travel. On September 16, 1828, the *Pensacola Gazette* stated:

It has been five weeks today since anything has been received in this city by mail from St. Augustine. We are at a loss to know why this is so, since we see in the Georgia and South Carolina papers where the *East Florida Herald* is still in exist-

<sup>18</sup> *Pensacola Gazette*, January 1, 1825.

<sup>19</sup> William T. Cash, *Story of Florida*, I, 276. Other mail routes and schedules appeared in the newspapers from time to time, as *Pensacola Gazette*, March 26, 1834.





## INTERNAL IMPROVEMENTS

ence. Mr. Gould (the editor) is requested to forward us his paper via Charleston and Milledgeville. . . .<sup>20</sup>

After Jacksonville became well established, mail from the north came to that place by vessel, and thence to other Florida points overland. It took the carrier on horseback a week to make the trip from Jacksonville to St. Marys and back, and the same length of time for the trip to St. Augustine. It required ten days for the round trip from Jacksonville to Tallahassee. The mail carriers had many dangers to overcome, chief of which were the hostile Indians. It was not uncommon for a carrier to be murdered before reaching his destination. *Niles' Register* gives a vivid description of the murder of the carrier who left Tampa in September, 1835 with the northern and western mail. He was brutally killed about six miles out of Tampa by a group of Indians, who carried the bags of mail away with them. The mangled body, lying in a pond a short distance from the road, was discovered several weeks later.<sup>21</sup>

Some of the carriers were able to make friends with the Indians, and go about their business unmolested. One of these was Albert G. Philips, the first mail carrier between Jacksonville and Tallahassee. En route to his destination he slept in the woods and was often awakened during the night to find the Indians about his campfire. After swapping venison and wild honey for tobacco and coffee, the Indians would leave only to return on another friendly visit the next time he came their way.<sup>22</sup>

A cross-territory canal from the Atlantic to the Gulf was another form of internal improvement that attracted an unusual amount of attention during the Territorial period. People very early conceived the idea that a canal across the Territory would be shorter and much less dangerous than the trip around

<sup>20</sup> *Pensacola Gazette*, September 16, 1828.

<sup>21</sup> *Niles' Weekly Register*, XLIX, 31.

<sup>22</sup> Thomas F. Davis, *History of Early Jacksonville*, 47.



## FLORIDA DURING THE TERRITORIAL DAYS

the tip of the peninsula. Geographically, Florida was ideally suited for such an undertaking, with its many lakes, rivers, and streams. The reefs around the lower end of Florida had been a danger for sailors since the days of Spanish occupation. Several petitions were forwarded to Congress from Florida asking that much consideration be given to the canal proposal. Colonel Joseph M. White, the Congressional delegate from the Territory, became interested and kept the project ever alive in Washington. The *Pensacola Gazette* said that the completion of the canal project would mean converting the wilderness of Florida into fruitful fields, and that it would bring thousands of dollars to the national treasury.<sup>23</sup>

Since it was a project of nation-wide interest, the canal received attention from all portions of the United States. There was very little opposition to it in Florida, but from without the Territory complaints were made that so large an investment in Florida would not be worthwhile. The *New York National Advocate*, however, contended that "It is a project, though of trifling cost, of more real value and importance to our commerce than any yet conceived or executed."<sup>24</sup>

On January 10, 1826, a bill was introduced into the Senate for the survey of a canal route between the Atlantic and Gulf of Mexico, and was thereupon referred to the Committee on Roads and Canals. As the discussion proceeded in the committee, information was received from various sources concerning the proposed project.<sup>25</sup> Colonel White, an enthusiastic sponsor of the bill, wrote at length to the committee in favor of its passage. He said, in part:

This canal would connect all the bays and rivers of the Gulf, furnish safe and easy conveyance from all their ramifications, of the valuable timber and productions of their borders,

<sup>23</sup> *Pensacola Gazette*, December 3, 1825.

<sup>24</sup> *New York National Advocate*, December 13, 1825.

<sup>25</sup> *Pensacola Gazette*, February 4, 1826. Also in *Congressional Debates*, 19 Congress, 1 Session, 29-31.





## INTERNAL IMPROVEMENTS

to the ports from which they could be most conveniently shipped: give an increased value to public lands through which it would pass, and thus remunerate the government for its expenditures. . . .<sup>26</sup>

White was rabid on the subject of the canal and proposed to the Committee on Roads and Canals that the bill include a survey from the Apalachicola River to the Mississippi River, as well as the survey from the Atlantic to the Gulf. He contended that such development would be of untold benefit to the United States, as well as to Florida.

Finally, on March 3, 1826, the bill became law, and by it the President was authorized to have a thorough examination made of all the territory south of the St. Marys River for the purpose of constructing a canal from the Atlantic ocean to the Gulf of Mexico. He was to have examined particularly the route from the St. Marys River to the Apalachicola River or bay, and from the St. Johns River to the Vassasousa Bay. The surveys were provided for with an appropriation of \$20,000.<sup>27</sup> After the engineers had made the examination, a copy of their report was to be forwarded to Congress before any other action should take place. A corps of engineers was shortly appointed by the President, including General Barnard and Major Perrault of the United States Army, and plans were made for the actual examination and survey.<sup>28</sup> The work, however, was done much too slowly to suit the many canal enthusiasts throughout the Territory who had dreamed of a completed project within a few months. Waiting waxed into impatience, but after a year or so, many people began to forget that engineers were supposedly still working on the examination of the Territory. In March, 1827, Colonel White reopened the

<sup>26</sup> *National Intelligencer*, February 17, 1826.

<sup>27</sup> *Ibid.*, March 7, 1826. Also *Congressional Debates*, 19 Congress, 1 Session, Appendix II.

<sup>28</sup> *Niles' Weekly Register*, XXX, 241.





## FLORIDA DURING THE TERRITORIAL DAYS

matter, and asked that something definite be done.<sup>29</sup> The Florida newspapers had much to say about the delay, for which few had any sympathy.

Feeling that the Federal government had left them to accomplish the feat alone, the Legislative Council appointed a commission of two, James Gadsden and E. R. Gibson, to look into the prospects of actually building a Gulf-to-Atlantic canal. Their report, which was made soon, was a balance between dream and reality. In the first place, the commissioners realized that such a project would be of untold economic benefit to the peninsula, and that it would be the making of a great state. On the other hand, the report gave actual facts to show that such a project would be tedious and difficult to accomplish. The commissioners reported for the construction of a canal, but only in case the Federal government would finance the work. The undertaking was one of national scope, and entirely too large for the Territory alone to handle. This report did not satisfy the people of the Territory: they wanted a report which would recommend the early beginning of canal construction.<sup>30</sup> Their dream had not come true yet.

The step taken by the Legislative Council may have stimulated the Federal engineers, for on January 13, 1829, Colonel White wrote in the *Pensacola Gazette*: "We are now promised a report on the canal in a few days, but as the same thing has been promised nearly every month for the last year and a half, I can form no idea when we shall be favored with it."<sup>31</sup>

The report was actually forthcoming, and was published in the early spring. It contained a large mass of material and information about the topography of the peninsula and the proposed canal routes. The general conclusions reached by the committee are as follows:

<sup>29</sup> *Pensacola Gazette*, March 2, 1827.

<sup>30</sup> *Ibid.*, May 16, 1828.

<sup>31</sup> *Ibid.*, January 13, 1829.



1. That a ship canal intended to connect the Atlantic and the Gulf of Mexico, through the peninsula of Florida, is not practicable. The coast on the Gulf between the bays of Tampa and Appalachie, cannot be approached by vessels drawing more than five feet. The ridge of the peninsula is at a mean elevation of about one hundred and fifty feet above the ocean, and possesses no sources of water from which so large a canal could be supplied.
2. The best passage across the summit of the ridge for a boat canal is offered by the head waters of the Sante Fe and Black Creek. On this route it is supposed that the natural reservoirs of water would supply a sufficient quantity to feed a canal of this description. A canal of about eighty-five miles in length from the fork of Black Creek to the mouth of Sante Fe would connect the St. Johns, entering the Atlantic with the Suwannee, discharging itself into the Gulf of Mexico. The Suwannee, however, being much obstructed at its mouth and having no harbor, it would be necessary to continue a canal from the Sante Fe to the harbor of the St. Marks. The whole length of the canal from tide water in Black Creek to tide water in St. Marks river would be 168 miles, and the ascent and descent together 225.
3. To provide for an uninterrupted inland navigation parallel to the coast from the Chesapeake (Bay) to the head of the St. Johns river, it would be necessary to open a sloop canal from the harbor of St. Marys to the St. Johns.<sup>32</sup>

The extended study dealt also with a possible canal between the St. Marks River and Lake Pontchartrain, serving West Florida, but that seemed more improbable than one cutting East Florida.

The official report was disappointing to the people of Florida. A tidewater canal was impossible, as shown by the committee, and a canal with locks was too expensive. There was nothing for the United States government to do but drop the matter despite the insistence of many who still wanted to provide a

<sup>32</sup> *Niles' Weekly Register*, XXXVI, 181-189.





## FLORIDA DURING THE TERRITORIAL DAYS

safe and short passage for cotton and other exports of Pensacola, Mobile, and New Orleans to the Atlantic. Instead of attempting the ship canal, Congress made generous expenditures in behalf of navigation along the coast by erecting lighthouses, and by suppressing the pirates who raided coastwise shipping.<sup>33</sup>

The idea of an Atlantic-Gulf canal never died, and at times it gained added strength; but, Congress gave very little attention to it after 1829. A number of routes were from time to time mapped out by individuals or groups of persons in the Territory, however, in the hope that the Federal government might give the needed aid. The most often proposed routes were the Apalachicola River, the Suwannee River, the Sante Fe, and the St. Johns routes. The most logical route seemed to be from the St. Marys River to the Apalachicola River, or from the St. Johns River to Vassasousa Bay.<sup>34</sup> But the Congress continued to turn a deaf ear to all pleas for support, and when the Territorial period ended the cross-territory canal was still a dream.<sup>35</sup>

Although the cross-territory canal was not constructed, many shorter canals were projected within Florida. Water transportation was very popular; and a regular net-work of water highways, with man-made canals connecting rivers and lakes, was proposed. If constructed it would have aided greatly in the development of Florida.

Companies for building such canals were incorporated by

<sup>33</sup> *Congressional Debates*, 23 Congress, 1 Session, 340. Also found in R. H. Rerick, *Memoirs*, II, 166.

<sup>34</sup> *Commercial Advertiser* (Apalachicola), September 9, 1844.

<sup>35</sup> Work was begun on a Florida ship canal in September, 1935, and continued until June, 1936. During that time \$5,000,000 were expended upon clearing, excavation, and construction headquarters. Thirteen million yards of earth were excavated. The work stopped because Congress did not appropriate funds for its continuance, although its completion was recommended by the War Department. At the present time a cross-state barge canal, twelve feet deep and 150 feet wide has been authorized by Congress, in lieu of the ship canal, but no funds have been provided for this project.





## INTERNAL IMPROVEMENTS

the Legislative Council, and the people were authorized to raise the money by various methods, one of them being by lottery. Very few of the proposed inland canals were finished, but they did serve as a basis for later development.<sup>36</sup>

Many ferries were put into operation across the rivers of the Territory. Nearly one hundred acts were passed by the Legislative Council allowing individuals to operate ferries over certain streams. Such means of conveyance was a necessity since few bridges were built during the period. Ferry service was always slow and inefficient, and travel was held up considerably.<sup>37</sup>

Railroad construction in Territorial Florida did not advance much further than canal construction. Although there was much agitation, only sixty-three miles of railroad had been constructed by 1845. There were many reasons for the slow construction of railroads. In the first place, the railroad industry was in its very infancy, and it was impossible to find engineers who knew much about the construction of the roads. No true estimate of the construction could be got by the promoters. The engineers who undertook to make estimates on the cost of construction nearly always underestimated the job, because of the seeming ease with which a road could be built on the level Florida land. Another reason for the failure of railroad construction was the lack of capital. Few of the promoters had enough capital to complete their contract, and additional funds were difficult to get. Unless outside financial aid could be secured, a job was as good as a failure from the beginning. Labor was hard to get. There were few white laborers. The Negro slaves were generally engaged in agriculture, and free Negroes were not interested in railroad construction work. Consequently, most of the railroad laborers

<sup>36</sup> R. H. Rerick, *Memoirs*, II, 167.

<sup>37</sup> K. T. Abbey, *Florida*, 182.



were imported at wages usually higher than those paid local workers.<sup>38</sup>

The financial depression of 1837 had as much to do with the retardation of railroad building in Florida as any other factor. The panic, which had sharp repercussions throughout the entire United States, left the Territory in a deplorable financial condition, and it was many years before Florida was able to undertake railroad projects to any successful degree. The Indian hostilities during the latter years of the Territorial period also helped to slow down railroad building, and tended to discourage internal improvements in any form.<sup>39</sup>

The Federal government gave very little aid to the railroad promoters. It did grant the railroads a little land but no more than the necessary right-of-way for the road.<sup>40</sup> The railroad promoters thought that they would benefit from the public lands since the government owned them, but they were disappointed. After the first few years, however, the grants to the several roads became more generous. In 1838 one company was granted an eighty feet right-of-way, and in addition was allowed four acres for every ten miles of road constructed. Some of this land was occupied by railroad buildings, workshops, watering places, and depots; some was held for speculation; and some sold to secure additional capital.<sup>41</sup>

Generally speaking, the Territorial period was not the day of the railroad. Very few railroads had been constructed in the United States; Florida's first railroad was, in fact, the third one built in the entire country. People were accustomed to water transportation, and few thought of railroads as a substitute for the old ways of traveling; they had not yet con-

<sup>38</sup> Dorothy Dodd, MSS, Railroad Projects in Territorial Florida, 3-4; hereafter cited as Railroad Projects.

<sup>39</sup> *Ibid.*

<sup>40</sup> L. A. Thompson, *Digest of Laws*, 62.

<sup>41</sup> Dorothy Dodd, Railroad Projects, 6. Also found in *Statutes at Large*, 25 Congress, 2 Session, 253.



ceived of a great net-work of railroads connecting the principal towns and cities. Intense interest could be mustered over a proposed canal, or even an overland road for carts and wagons, but the day was premature for any extensive railroad construction.<sup>42</sup>

A cross-territory railroad was projected in Florida about the time the agitation for a canal from the Gulf to the Atlantic was at its height. The two movements paralleled each other, and both were impracticable at the time. Four companies, the Florida Peninsula and Jacksonville Railroad Company, the Atlantic and New Orleans Seaboard Line Company, the Florida Peninsula Railroad and Steamboat Company, and the Tampa Bay and St. Johns Railroad, Canal and Steamboat Company, were chartered for the purpose of building the projected railroad; but none of them was successful in the undertaking during the Territorial period.<sup>43</sup>

James Gadsden became interested in a Gulf to the Atlantic railroad, and in 1838 presented to Congress a proposition that he believed would get the work underway immediately. It was a plan whereby financial aid would come from the Federal government as well as the Territorial government. Gadsden further pointed out that a railroad was much more practicable than a canal, and that the topography of Florida was ideal for its construction. He believed that such a road could be of invaluable use to the army and navy. The Legislative Council had previously endorsed Gadsden's proposal, and urged that the Federal government undertake the construction of the road as one of its internal improvement projects.<sup>44</sup> But nothing was done toward constructing the railroad until after 1845.

Shorter lines were proposed and built, however, during the Territorial period. The first of these was built by the Talla-

<sup>42</sup> K. T. Abbey, *Florida*, 185.

<sup>43</sup> Dorothy Dodd, *Railroad Projects*, 69.

<sup>44</sup> Gadsden to Congress, April 9, 1838, House of Representatives Files.





## FLORIDA DURING THE TERRITORIAL DAYS

hassee Railroad Company from Tallahassee to St. Marks between 1834 and 1836, and was extended to Port Leon in 1839. Though a short line, this road was important nationally because it was the third one to be built in the United States. The first attempt to construct the road had been made in 1831 when a charter had been granted the company by the Legislative Council over Governor Duval's veto.<sup>45</sup> Another attempt was made a year later; success finally came when the project was taken over by the Tallahassee Railroad Company. Major credit for its success should go to General Call because he was president of the board of directors, and devoted much of his time to the completion of the line. For some time the road was known as the Call Railroad.<sup>46</sup>

The line was built of light wood and iron. Slave labor was used extensively in the building. Mules driven in tandem were used at first to draw the peculiarly shaped and constructed cars along the road. The passenger cars were box-shaped affairs, with a row of benches on each side holding eight people. For a long while the road was the only means of outlet for the large agricultural district in Middle Florida and parts of Georgia. Over it annually were transported about 30,000 bales of cotton and a large amount of other produce. In 1837 a locomotive was acquired by the road, and the business increased considerably. Advertisements were placed in all the Florida newspapers asking for patronage of the railroad. The road carried the mails and gave other public service. That portion of the road between Port Leon and St. Marks was badly damaged by a terrific hurricane in 1843 that destroyed Port Leon. As Port Leon was never restored, the road was never re-built to that point. St. Marks became the terminus. There

<sup>45</sup> Journal of the Proceedings of the Legislative Council of Florida, 9 Session, Unpublished (1831), 28.

<sup>46</sup> C. M. Brevard, *History of Florida*, II, 105.



## INTERNAL IMPROVEMENTS

was agitation from time to time for the extension of the road to Thomasville, Georgia, so as to connect with the Georgia lines, but this was never accomplished. Some of the Florida owners of the road feared that such a connection would aid the roads of Georgia at the expense of the Florida line.<sup>47</sup>

Two short railroads were constructed to give St. Joseph a connection with the interior by way of the Apalachicola River. Apalachicola was getting the greater portion of the commerce of Middle Florida, and St. Joseph, a bitter rival of Apalachicola, desired to divert some of the cotton and other produce from the interior of Middle Florida, Georgia, and Alabama. Since St. Joseph had a much better harbor than Apalachicola, the plan was to build a railroad or a canal to Lake Wimico, a none-too-deep bayou of the Apalachicola River. Produce reaching that point on the river could be transferred to the railroad or the canal, and brought to St. Joseph rather than to Apalachicola. The Lake Wimico and St. Joseph Company was incorporated by the Legislative Council in 1835 with a stock of \$250,000 to build a canal from St. Joseph to Lake Wimico,<sup>48</sup> but the project was changed from a canal to a railroad, and the line was finished in March, 1836. The road was hurriedly built with very little skill or accuracy, the total distance being only eight miles. In September, 1836, a locomotive made its first run on the road. It had twelve cars and carried three hundred passengers.<sup>49</sup>

The St. Joseph-Lake Wimico road was unsatisfactory and the promoters made plans to complete the road direct from the city to a point on the Apalachicola River at Tennessee bluff. The point, called Iola, was a distance of only twenty-eight miles from St. Joseph. The road was completed and made

<sup>47</sup> R. H. Rerick, *Memoirs*, I, 167.

<sup>48</sup> *Journal of the Proceedings of the Legislative Council of Florida*, 13 Session (1835), 21.

<sup>49</sup> Dorothy Dodd, *Railroad Projects*, 18-21.





the distance between St. Joseph and Columbus, Georgia, about fifty miles less than that from Apalachicola to Columbus.<sup>50</sup>

Low freight rates were made to the interior cotton planters, in hopes that most of the produce would be sent to St. Joseph rather than Apalachicola, but the dreamers had miscalculated the popularity of Apalachicola as a commercial port. Most of the cotton continued to be sent to the older city, and it soon became evident that the road was a failure. So few people were left in St. Joseph after the yellow fever epidemic of 1841 that the road was offered for sale. Previously the Union Bank at Tallahassee had secured judgment against the Lake Wimico and St. Joseph Company for the sum of \$41,500.<sup>51</sup> The road was finally sold and dismantled. The rails were taken up and carried to Georgia where they were used in the construction of another road.<sup>52</sup>

The fourth and shortest of the Territorial railroads was that between Arcadia on Pond Creek in Escambia County and the Black Water River, which ran into Pensacola Bay. A canal was first projected between the two streams and a company chartered for that purpose in 1835.<sup>53</sup> But this project also was soon changed to a railroad. The road was continued for a short time only since it was not a success financially. The cars were drawn by horses or mules.

The only inter-state railroad to get past the paper stage during the Territorial period was the road from Pensacola to Columbus, Georgia, but it, too, was doomed to failure and never ran any trains. Pensacola agitated for years the proposition of connecting Florida with the Georgia line. Engineer F. P. Palmes was employed in 1834 to examine the proposed route from Pensacola to Columbus and to report on the practicability of such a line. He made a most favorable report, after hav-

<sup>50</sup> *Ibid.*, 21.

<sup>51</sup> R. H. Rerick, *Memoirs*, I, 168.

<sup>52</sup> Dorothy Dodd, *Railroad Projects*, 24-25.

<sup>53</sup> *Laws of Florida*, III (1835), 201.





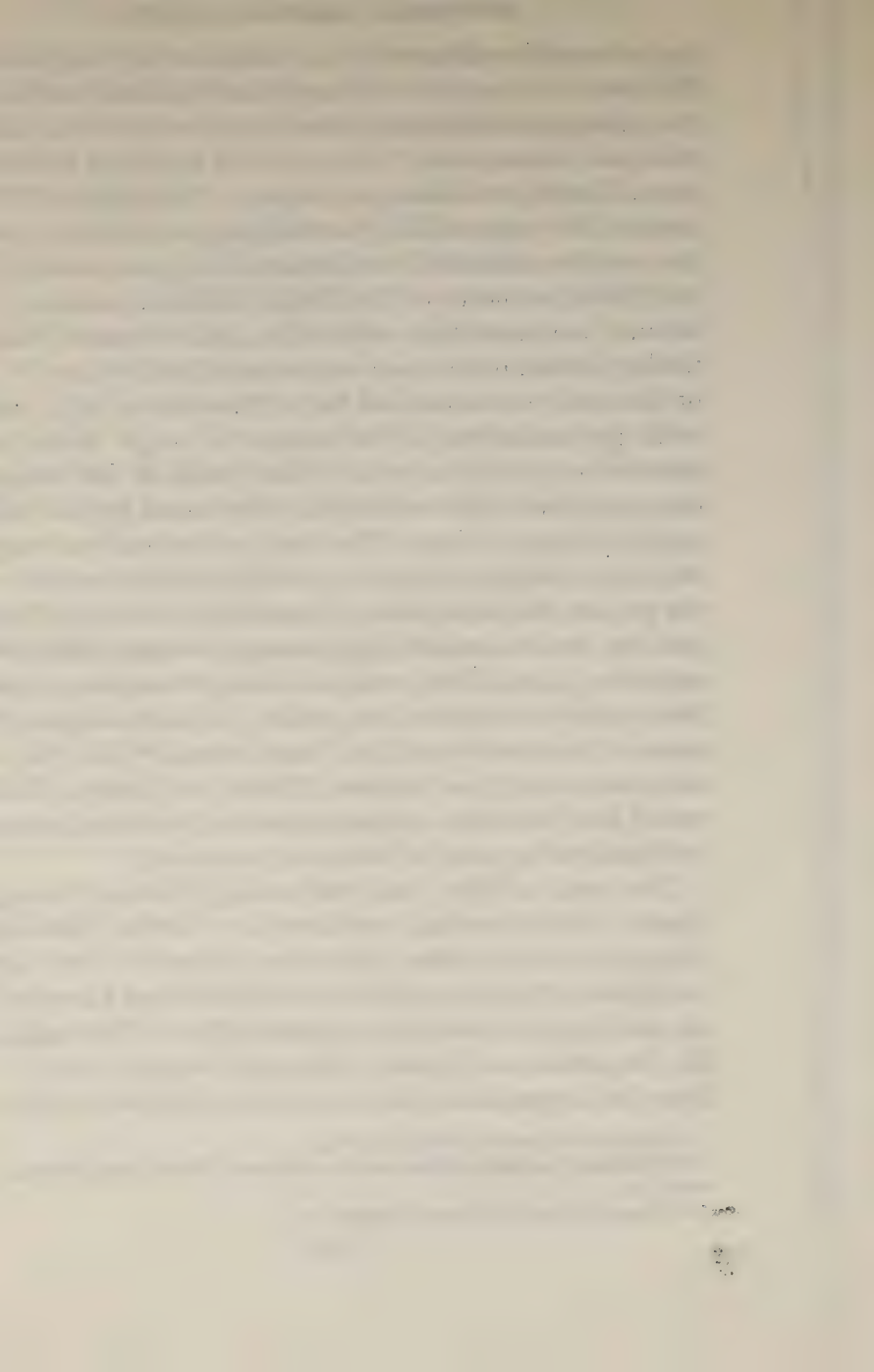
ing surveyed the distance of 220 miles between the two cities. He found the people of Georgia and Alabama enthusiastic over the project because it meant a new outlet to the planters who had cotton to sell.<sup>54</sup> The line was chartered as the Alabama, Florida, and Georgia Company. The people of Florida assumed the responsibility for building the southern part of the road that extended from Pensacola to a point on the Conecuh River just north of the Florida-Alabama boundary. The distance was about forty-eight miles, and the cost of this particular division of the road was estimated at \$782,703.<sup>55</sup> Most of the stock was subscribed for in Pensacola in 1834, and the work got under way in the summer of 1836. Before many months the panic of 1837 hit West Florida in full force, and the speculative bubble which had been caused by the building of the railroad was burst. The work on the road was stopped, and after Congress refused to give financial aid to it in 1838, the project was abandoned. A considerable amount of money was lost on the undertaking, because the most difficult and expensive phases of the work had already been completed. At least twenty-five miles of the grading had been completed, and some of the trestle work had been erected.<sup>56</sup> Had the crash not come in 1837, the Alabama, Florida, and Georgia Railroad would have been built as a monument to the determination and persistence of a group of territorial promoters.

The panic of 1837, and the banking failures throughout Florida which resulted, cut short any further railroad development. Several other roads were chartered. They include the Florida Peninsula and Jacksonville Railroad Company for the building of a road from Jacksonville to Tallahassee; the St. Augustine and Picolata Railroad Company for a road from St. Augustine to Picolata; and the Brunswick, Georgia,

<sup>54</sup> *Pensacola Gazette*, October 18, 1834.

<sup>55</sup> William Campbell, *Report on the Alabama, Florida, and Georgia Railroad*, 12.

<sup>56</sup> Dorothy Dodd, *Railroad Projects*, 51.



and Florida Railroad Company for the building of a line from Brunswick to Apalachicola. A road from Pensacola Bay to Mobile Bay was also proposed.<sup>57</sup> But no construction work was done on any of these roads. In fact it was not until after statehood came to the Territory in 1845 that another extensive program of roads, canals, and railroads was launched. This setback was due largely to the impact of the panic and bank failures of 1837.

Banking in Florida was in its infancy when the panic of 1837 broke. There was much said in the early days of the Territory about the establishment of a bank, because the Second Bank of the United States had inspired much confidence in similar institutions.

As early as 1823 the delegates to the Legislative Council from East Florida asked for a bank charter, but the plan was not accepted by the delegates from West Florida. During the following year there was an increasing amount of favor given to the establishment of a bank, and in 1824 the Legislative Council endorsed the plan for a bank. The bill provided for institutions at St. Augustine and Pensacola for the purpose of lending money and receiving deposits. Without hesitation Governor Duval vetoed the bill, and the banking plan failed to materialize, because there was not enough strength in the Council to pass it over his veto.<sup>58</sup>

In general, Duval favored the idea of a bank, but only when the rights of the individual should be protected. He intimated that he was afraid of corporation control, and seemed to be as bitterly opposed to corporations as was Thomas Jefferson or Andrew Jackson.<sup>59</sup> For his opposition toward the particular bill he gave the following reasons: (1) the plan contained no provision that the charter would be forfeited if the bank re-

<sup>57</sup> W. T. Cash, *Story of Florida*, I, 331.

<sup>58</sup> *East Florida Herald*, January 25, 1825.

<sup>59</sup> W. T. Cash, *Democratic Party*, 11.



fused to pay specie on demand for notes; (2) there was no clause or provision which allowed the Legislative Council to annul the charter if the bank were mismanaged; (3) the proposed corporation was not limited in operations to dealing with gold and silver; (4) the directors were allowed to borrow as much money from the bank as they wished to get; (5) the Legislative Council could not tell by any method whether the bank issued more notes and bills than the charter allowed them to issue.<sup>60</sup>

The Territory of Florida continued without any banks or any sort of local currency. Paper money from neighboring states drifted in and was used extensively. With the increased prominence of banks all over the nation, more people were beginning to feel the need of a similar institution in Florida. The cotton planters put much pressure on the Legislative Council, and finally, in 1828, an act providing for a bank was passed. Governor Duval, still opposed to such institutions, vetoed the bill, but by this time the Legislative Council was sufficiently converted to the banking idea to pass the law over the governor's veto.

Florida's first bank charter was not practical, even when put into operation by experienced bankers. The new institution, called the Bank of Florida, had capital amounting to \$500,000; however, operations could begin when \$40,000 had been paid in silver, gold, or notes of the United States bank.<sup>61</sup>

Governor Duval was skeptical of the bank's success, but he represented only a minority. Most of the Territory received it warmly. All that was necessary, said one man, "was for a man to mortgage his lands and negroes; draw from the bank two-thirds (in money) of their value, which will be re-invested in more land and more negroes. One or two crops

<sup>60</sup> *East Florida Herald*, January 25, 1825.

<sup>61</sup> David Y. Thomas, MSS, *History of Banking in Florida*, 5; hereafter cited as *Banking in Florida*.





of cotton will redeem all obligations to the bank; so you see it is the best thing afloat; a man can go to sleep and wake up rich." <sup>62</sup>

In 1829 the Bank of Florida was provided with a new charter by the Legislative Council, increasing the capital to \$600,000. The Legislative Council examined the affairs of the Bank in 1832 and found them so satisfactory that another bank was created, the Central Bank of Florida. Later both the Central Bank and the Bank of Florida were absorbed by the Union Bank of Tallahassee. <sup>63</sup>

Another of the early banks was the Bank of West Florida, which was chartered over Governor Duval's veto in 1829. It had an authorized capital of \$1,000,000. Though it was supposed to have been located at Marianna, it was soon lost track of, and by 1837 it was completely out of existence. <sup>64</sup> In 1838 the Bank of West Florida rose from the dead, so to speak, and was re-established in Apalachicola with the same charter but with new directors. It soon passed out of existence again, and this time never to come to life again. The history of this bank exemplifies the struggle that all like institutions had. <sup>65</sup>

The Bank of St. Augustine established by the Legislative Council in 1831 was another institution which amounted to nothing. It was incorporated with a capital stock of \$300,000. Others included the Merchants and Planters Bank of Magnolia (a town that lived a short life), which was authorized in 1832 with a capital of \$200,000, also against the wishes of Governor Duval; the Commercial Bank of Apalachicola with a capital stock of \$500,000 was established in 1833; the Farmer's Bank of Florida was chartered over the governor's veto in 1834 with a capital of \$75,000; the Bank of Jacksonville was

<sup>62</sup> Reginald C. McGrane, *Foreign Bondholders and American State Debts*, 227; hereafter cited as *Foreign Bondholders*.

<sup>63</sup> D. Y. Thomas, *Banking in Florida*, 6.

<sup>64</sup> *Ibid.*, 13.

<sup>65</sup> *Pensacola Gazette*, April 21, 1838.



## INTERNAL IMPROVEMENTS

established in 1835 with a capital of \$75,000; the Bank of St. Joseph in 1836 with a capital of \$1,000,000; the Florida Insurance and Banking Company in 1835 with a capital stock of \$1,000,000; the Franklin Bank of St. Joseph and the Marine Insurance Bank of Apalachicola about the same time.<sup>66</sup>

Other banks were established by the Legislative Council but only a few of them ever went into operation. Most of the charters were allowed to lapse as the tide of opposition rose against banking institutions throughout the United States. Congress took a hand in keeping down the Legislative passion for granting bank charters by annulling some of the charters from time to time. It was a rather easy matter to get a charter from the Council since most of the Council members were enthusiastic bank men by 1832, despite the fact that Governor Duval never gave consent for such legislation. If a person or a group of persons desired to create a bank, they first secured a charter from the Legislative Council; then they would mortgage their land or their negroes at a price agreed upon, and would receive certificates of stock for the mortgage. The Territorial government would then exchange its bonds for the stock certificates, and in this way the Territory was closely tied up with the creation of the many Florida banks.<sup>67</sup>

"The creation of these banks," said Rowland H. Rerick, "the insubstantial character of their capital, and their method of doing business in general, were in harmony with the enormous inflation of credit characteristic of the period on both sides of the Atlantic." Both in Europe and the United States the Industrial Revolution had given rise to unlimited production and prosperity which brought on an enormous amount of speculation in land and in capital.

Throughout the South there was a noticeable rise of financial confidence with increased production of cotton and the

<sup>66</sup> D. Y. Thomas, *Banking in Florida*, 13.

<sup>67</sup> W. T. Cash, *Democratic Party*, 13.





## FLORIDA DURING THE TERRITORIAL DAYS

opening up of new lands. The result was the panic of 1837 and a severe contraction of credit. At the same time President Andrew Jackson was making war on Nicholas Biddle and the Bank of the United States, which resulted in a victory for Jackson. The bank was not re-chartered in 1836 and some \$10,000,000 of governmental deposits were removed. New state banks sprang up and in turn issued some form of money credit in great amounts. Such were the times in which these numerous Florida banks had to survive, or attempt to survive.<sup>68</sup>

Of the banking institutions which were of paramount importance during the Territorial period, the Union Bank of Tallahassee, the Bank of Pensacola, and the Southern Life Insurance and Trust Company rank first. All of the others were far overshadowed in their prominence and service to the Territory. The largest of the three established was the Union Bank of Florida, which was located at Tallahassee, and usually called the Union Bank of Tallahassee. This bank, which had a brilliant beginning, received its charter on February 13, 1833, and the act, being signed this time by the governor, read as follows:

Be it enacted by the Governor and the Legislative Council of the Territory of Florida, that a Bank shall be established in the city of Tallahassee under the title of the UNION BANK OF FLORIDA with a capital of one million dollars, and with privileges of increasing it to three million dollars, which capital shall be raised by means of a loan, on the faith of the Territory, by the Directors of the Bank: Provided that not more than one million of dollars shall be taken up and called for at the time of organizing the Bank.<sup>69</sup>

The act further provided that the shares should sell at \$100 each, and were to be offered for sale at Tallahassee, Pensacola, St. Augustine, Jacksonville, Marianna, and Key West under

<sup>68</sup> R. H. Rerick, *Memoirs*, II, 43.

<sup>69</sup> John P. Duval, *Compilation of the Public Acts of the Legislative Council of the Territory of Florida*, 442.







Source Three Dollar Bank Note on the Bank of Pensacola, Pensacola, Florida dated May 4 1933. The original in collection of T. T. Wentworth, Jr.



Source Two Dollar Bank Note on the Bank of Pensacola, Pensacola, Florida dated April 20 1940. The original in collection of T. T. Wentworth, Jr.

Courtesy T. T. Wentworth, Jr.



## INTERNAL IMPROVEMENTS

the superintendence of a committee. The books were to be kept open for sixty days in Tallahassee; in Pensacola, St. Augustine, Jacksonville, and Marianna thirty days; and in Key West ten days. The board of directors were to be selected by the governor of the Territory. Of the twelve directors to be chosen, five were to represent the Territory and seven to represent the shareholders. The directors were in turn to select one of their members as president of the bank.<sup>70</sup>

The Bank was founded by John Grattan Gamble, a Virginian who had settled in the Territory in 1827. He, no doubt, had studied the charter of the Union Bank of Louisiana; he was well versed in the knowledge of banks, and consequently became its first president. He conceived the idea of having the stock paid for by mortgages on land, slaves, or any property that would yield revenue. The governor was empowered to appoint a board of appraisers, who in turn evaluated the property or slaves that were to be offered on the mortgage. Public "credit" came into the scheme as a main factor in the Bank since no actual cash up to this point had been provided for. To secure the necessary cash for operations, the Territory was to issue 1,000 bonds of \$1,000 each, of which 250 were payable in twenty-four years; 250 in twenty-six years, 250 in twenty-eight, and 250 in thirty years. These bonds were to be delivered to the Union Bank, and the necessary capital was to be secured through their sale. These came to be known as "faith bonds" because the faith of the Territory was pledged for the security of the Bank. The bonds bore interest not exceeding 6 per cent. One outstanding feature of the newly created bank which was of untold benefit to the planters of Middle Florida was the issuing of currency. This money was lent on mortgage security.<sup>71</sup>

Since the bank was intended to be a planter's bank of Middle

<sup>70</sup> *Ibid.*, 442-450.

<sup>71</sup> *Ibid.*, 442-454.





## FLORIDA DURING THE TERRITORIAL DAYS

Florida, most of the stock was disposed of in a few counties in the center of the Territory, with Jefferson County taking most of the subscriptions. John G. Gamble, who became president of the institution became holder of 594 shares, and Robert Gamble took 754 shares at \$100 each. Ten persons subscribed 400 shares at Pensacola, and at Marianna eighteen persons subscribed 1,521 shares. The books remained open in Tallahassee from April 10, 1833, until January 22, 1835, during which time 11,485 shares were subscribed by 118 people, and an allotment was made to ninety-four persons for 9,177 shares.<sup>72</sup>

The first board of directors of the bank, appointed by the governor, included John G. Gamble, William B. Nuttall, G. H. Chaires, J. K. Campbell, Thomas Preston, Jr., Isham G. Search, L. A. Thompson, C. H. Dupont, J. McBride, J. L. Doggett, and Jonathan Robinson. With the flush times in Middle Florida, everything went well with the bank for a while. Governor Duval issued to the bank on April 16, 1834, 360 bonds of the Territory of Florida at \$1,000 each. President Gamble let the bonds remain in possession of the bank until September of that year when he carried them to New York and Philadelphia and made a contract with several concerns in those places for buying 500 of the bonds. He also arranged with the same concerns to take 500 more of the bonds when they could be procured from the Territorial government. Early in 1835 Governor Eaton presented to the bank the remaining 640 Territorial bonds of \$1,000 each; these were sent immediately to New York and Philadelphia.

By 1835 the bank was able to begin its issuance of bank bills and the discounting of notes, as the necessary capital of \$1,000,000 had been obtained through the negotiation of Territorial bonds. In March, 1838, Governor Call delivered 2,000 more bonds to the bank thereby increasing the capital to \$3,000,000, as the charter had originally provided.

<sup>72</sup> *House Document*, No. 111, 26 Congress, 2 Session, IV, 278.





## INTERNAL IMPROVEMENTS

Extravagance and over-trading characterized the establishment and management of the bank. With the downfall of credit all over the United States in 1837, the Tallahassee institution also began to experience a similar condition. The bank notes decreased rapidly in purchasing power, and before long had very little or no value in distant parts of the Territory. Specie payment was suspended, and to make matters worse, there was a sudden decline in cotton prices which had dire repercussions throughout the entire Territory. Economically the people had not recovered from the memorable freeze of 1835, which destroyed orange and other fruit trees throughout Florida.<sup>73</sup>

The Bank of Pensacola began operation about the same time the Union Bank of Florida opened for business. However, there had been a great deal of interest manifested in Pensacola for the establishment of a bank as early as 1821. On August 15th of that year a group of citizens of that place petitioned the board of directors of the United States Bank at Philadelphia through its president for the establishment of a place for "discount, deposit, and exchange as the exigencies of its business will require and as may be consistent with the interests of the Institution over whose concern you preside." The citizens pointed out in the lengthy letter that Pensacola was in a position to market, not only the cotton of the immediate vicinity, but also a great portion of that grown in Georgia and Alabama.<sup>74</sup>

Finally Pensacola got the bank she had been asking for in 1831; at least the charter was issued by the Territorial Council in that year, and it was done over Governor Duval's veto. The charter gave the bank a limited capital of only \$200,000. It was amended in 1832 but appears not to have been acted upon until May 16, 1833. Books were opened at Pensacola at that time for the sale of stock, and Walter Gregory, C. C. Keyser,

<sup>73</sup> R. H. Rerick, *Memoirs*, I, 165.

<sup>74</sup> Petition to Board of Directors, August 15, 1821, Florida Territorial Papers.



## FLORIDA DURING THE TERRITORIAL DAYS

Joseph Forsyth, J. Jerrison, G. W. Barkley, Hanson Kelley and Henry Hyer were named as a board of directors of the bank. The *Pensacola Gazette* received the bank charter with a great deal of publicity and fanfare. It was hoped, the paper advertised, that the establishment of banking facilities in Pensacola would help to rebuild the commerce of the city and of all Western Florida.<sup>75</sup>

The largest amount of shares, 1,705 in number, were subscribed by Walter Gregory. Eleven citizens of Pensacola subscribed forty-five shares, and 250 were reserved for the Territory. That completed the allotted 2,000 shares which were authorized by the act. Upon the 1,750 shares subscribed (not including the 250 shares reserved for the Territory) \$7,000 was paid.

Unlike the Union Bank of Florida, which was a planter's bank, the Bank of Pensacola became a railroad construction agency and became so involved in building a railroad that it gave very little service to the Territory. It became enveloped in railroad interest in 1835, when Walter Gregory, the president, was authorized to purchase shares in the proposed Alabama, Florida, and Georgia Railroad. In order to do this Gregory was empowered to issue \$500,000 worth of "faith bonds" indorsed by the governor. The same legislative act increased the capital of the bank to \$2,500,000 in an additional 23,000 shares. On December 2, 1835, President Gregory succeeded in selling in Philadelphia all of the \$500,000 worth of "faith bonds" that were issued by the bank and endorsed by the governor.<sup>76</sup>

The bank was apparently promoted by men living in distant places who had very little of the interest of Florida at heart. They meant to enrich themselves by selling bonds en-

<sup>75</sup> *Pensacola Gazette*, July 5, 1833.

<sup>76</sup> *Territorial Florida Bank Commissioner's Report*, 2; hereafter cited as *Bank Commissioner's Report*.





dorsed by the Territory, and to profit by the building of the railroad. By 1839 only 1,060 shares out of the 25,000 were owned by the seven directors. It became more or less a "foreign" concern which did speculative business in improvement schemes as well as in railroad building.<sup>77</sup> Surprisingly enough, the bank had several rather prosperous years. It resumed specie payment in 1839, after having been forced to suspend such payment in 1837. Again in 1840, the directors were forced to suspend payment, and the light of existence flickered off and on for several more years. In 1840 a comparatively good report was made despite the fact no dividends had been paid since 1835. President Walter Gregory stated to the bank commissioners that, "We believe it [the bank] to be in good and safe condition. We have not, since the institution was established to this time, made any bad debts or losses of any kind." Total liabilities listed in 1840 amounted to \$923,238.82.<sup>78</sup>

East Florida could not escape the banking fever that had struck Middle and West Florida. Rumors floated toward St. Augustine to the effect that Pensacola and Tallahassee had been made rich by the presence of banks, and St. Augustine became anxious to experiment in the same field. There was no trouble in getting St. Augustine interested in a plan to establish a bank there, so on February 14, 1835, a locomotive capitalist by the name of Lot Clark, who had formerly been connected with the Lockport Bank of New York and had had much banking experience, procured from the Legislative Council of Florida a charter for a banking institution to be called the Southern Life Insurance and Trust Company. Lot Clark himself was the author of the charter, and it had such wide powers that a member of Congress stated that it had "every power except that of killing Indians."<sup>79</sup>

<sup>77</sup> D. Y. Thomas, *Banking in Florida*, 15.

<sup>78</sup> *Bank Commissioners Report*, 5.

<sup>79</sup> *Florida Herald*, December 11, 1840.





## FLORIDA DURING THE TERRITORIAL DAYS

The St. Augustine institution was empowered to do business in life insurance and annuities, as well as to carry on general banking business. The charter provided for a capital of \$2,000,000, but there was a provision that it might be increased to \$4,000,000. Most of the capital was subscribed in New York by men who were wealthy and of high standing. The institution opened for business in November, 1835, with the requisite \$200,000 of capital. The directors included Lot Clark, Thomas Douglas, J. L. Smith, S. S. Peck, Charles Downing, Andrew Johnson, and Robert Raymond Reid, of Florida; and J. D. Beers, Walter Browne, and John Delafield, of New York.<sup>80</sup> A few shares were held by the trustees, but the largest stockholder was the president of the bank, Lot Clark, who was also the original promoter. The Farmer's Loan and Trust Company held 208 shares, the New York Life Insurance and Trust Company 50, the American Trust and Banking Company 100, and W. L. Marcy 25.

Several branches of the bank were established, the largest being at Apalachicola under the superintendence of George Field, who was the son-in-law of Lot Clark. Field served as cashier of the new concern, and was well trained for the job, having been cashier of the parent bank in St. Augustine from the outset. Also, in 1836, a branch was set up at St. Joseph under the care of C. S. Raymond, who was succeeded by James Ruan. A. M. Reed became the cashier of the new branch founded at Jacksonville in the spring of 1839. On January 1, 1840, another institution affiliated with the Life and Trust Bank was established at Tallahassee under the management of John Williams and a board of directors. This branch grew and prospered so well that it was soon considered by some as the outstanding unit of the widespread establishment; but St. Augustine remained nominally the parent office.<sup>81</sup>

<sup>80</sup> *House Documents*, No. 111, 26 Congress, 2 Session, 472.

<sup>81</sup> *Bank Commissioners Report*, 41.



## INTERNAL IMPROVEMENTS

The panic of 1837 hit the Southern Life Insurance and Trust Company so hard the directors were forced to borrow \$500,000, of which \$300,000 was payable in New York, Philadelphia, and London. It had to suspend payment of its debts in 1837, but resumed in a fashion the next year. The *Florida Herald* commented on December 11, 1840, as follows:

The Bank suspended paying its debts in 1837, resumed in '38, and again in May last. During the first suspension, whatever may be said to the contrary, it redeemed its bills by drafts on the North, in a more handsome manner than most of the Southern Banks—give the devil his due. . . . The bank has floated bills in circulation, we suppose for about \$100,000. . . . The different branches last winter drew drafts on Lot Clark, who acts as agent in New York, to a large amount, at from three to six months date. . . . The Bank was established for the purpose of bringing capital into the country; now it cannot pay its debts unless capital is sent out of it. Such is the bank. What can be done? We will prepare a blister presently.<sup>82</sup>

The Indian War hurt the bank in East Florida more than it did in any other section of Florida, and the people had very little reason to need a bank until the hostilities were over. Another thing that detracted from the potential success of the bank in St. Augustine was the draining of the capital into distant cities. For instance, a large amount of the capital was lent in the city of New York without the knowledge of the board of directors. The money was ultimately lost. Within a short time the St. Augustine Bank, like all the other Florida banking institutions during the Territorial period, succumbed to the widespread financial disorder, and the stock was rendered useless and worthless.<sup>83</sup>

On a whole the Florida banks had a short and turbulent life. They were never without criticism and censorship from

<sup>82</sup> *Florida Herald*, December 11, 1840.

<sup>83</sup> R. H. Rerick, *Memoirs*, II, 46.





the public. Several of the leading officials fought the chartering of such institutions from the very beginning, including the secretary of the Territory and Governor Duval. The governor vetoed all of the bills for the creation of banks until 1833. In 1828 he gave as his reason for opposing banks the fact that they tended "to create petty class distinctions and inflated sub-aristocracies which are ever at war with that plain manly equality so essential to the preservation of virtue and moral sentiment among the body of people."<sup>84</sup> The statement sounded more like a page from Andrew Jackson than it did from William P. Duval.

Many people did not feel that the Territorial Legislature had the power to grant charters to banking institutions, and used this as a major argument during the early 1830's. They also questioned the wisdom of issuing the so-called "faith bonds," which pledged the faith of the Territory in making the payments. Other Floridians objected very seriously to the privilege allowed the stockholders of borrowing large sums of money from the bank, most of which had been secured from the Territory. The banks also made a practice of lending money for long term on mortgages of real estate, at the approval of very few people, and there was no way to keep the officials of the bank from wasting as much money as they pleased as long as the interest on the bonds was paid.<sup>85</sup>

The opposition to the formation of banks in the Territory crystallized into an active anti-bank group which was led by some of the most influential men in Florida, among them being Robert Raymond Reid, Leigh Read, David Levy, Thomas Baltzell, and Abram Bellamy. As a rule most of the opposition to the banks was centered in the Democratic or the *Loco Foco* party as the Whigs called them, though it would be difficult to draw the party lines on the banking issue too closely.

<sup>84</sup> W. T. Cash, *Democratic Party*, 11.

<sup>85</sup> R. C. McGrane, *Foreign Bondholders*, 226.





## INTERNAL IMPROVEMENTS

The issue changed complexion from time to time, and many transferred their loyalty at will from one side of the campaign to the other. The Whigs were accused by the Democrats of sponsoring the banks, and it was true that some of the Whig leaders were strong bank supporters. During the latter part of the 1830's the bank party held a great deal of power in the Territory, and at times used rather unethical tactics. It was a party of force, and anyone who opposed it was denounced in most violent terms. At the Constitutional Convention at St. Joseph in 1838 the non-bank men were assailed by the bank men and their loyal newspaper as "traitors" to the people who had sent them there, and as "Agrarians" and "Levellers." In 1840 the Governor wrote to the Secretary of State, as follows:

Maddened [the Bank party at the St. Joseph Convention] by the ineffectual and abortive attempts to thwart or embarrass the steady and straight forward movement of the Democratic phalanx in the Convention, the course of the Faith Bond Bank faction became more and more violent, denunciatory, and abusive. Especially was the course of the clique managed by Lot Clark, Charles Downing, Peter Sken Smith, Thomas Douglas, and Samuel L. Burritt in East Florida, rancorous towards Judge Reid and Mr. Levy, and they were well abetted by the Union Bank Junto, headed by their attorney, Ex-Governor Duval, Charles H. Dupont, a Director of the Union Bank, and others in Middle Florida, and by Thomas M. Blount the Legislative financier of the Bank of Pensacola, in the Western District. . . . Ex-Governor Duval [who had been greatly opposed to the creation of banks before 1833] called a caucus on a Sunday afternoon during the Convention for the purpose of breaking up the Convention if the Democrats didn't give in to the Bank Party's desire of the Faith Bond Banks. The meeting was broken up by some leading Democrats.<sup>86</sup>

Through the three Territorial banks there was issued \$3,900,000 worth of "faith bonds," of which \$3,000,000 was

<sup>86</sup> Inclosed in Reid to Secretary of State, December 10, 1840, State Department Miscellaneous Letters.



credited to the Union Bank of Florida, and the remaining \$900,000 to the Bank of Pensacola and the Southern Life Insurance and Trust Company. John Gamble, president of the Union Bank, became known for his ability to sell these bonds on distant markets, and in that way financiers and banking houses in various places all over Europe and America had interest in the payment of these "faith bonds" by the Territorial government when the individual banks were unable to do so.

In 1838 when Governor Call delivered 2,000 "faith bonds" to the Union Bank, worth \$2,000,000, Gamble immediately set out for New York and Washington to sell them. Unable to sell all of the bonds there, he then sailed for Europe, where he put on a real pressure campaign. Being somewhat of a salesman as well as a banker, Gamble disposed of the bonds, though with some difficulty. He visited London and Amsterdam and convinced the English and Dutch financiers that the Florida bonds were safe investment. He laid particular stress on the power of the Territorial Legislature in issuing the bonds, and assured the buyers that their issuance was done only after full sanction by the Congress of the United States.

Before they bought the bonds the foreign investors preferred that Florida be a state in the union rather than just a territory, but Gamble assured them that statehood for Florida was as good as attained. The first sales were made to the Barings in London, and to Hope and Company in Holland. Then after a return trip to London from the continent, he was successful in disposing of some of the bonds to Palmer, MacKillop, Dent and Company in the English capital. This firm took the bonds at a discount, payable in four installments beginning on March 1, 1839. There remained 720 of the bonds still unsold when Gamble made ready to return to the United States, so he left them for sale with Palmer, MacKillop, Dent and Company. Sixteen of them were later sold at 10 per cent premium. The other 704 unsold were hypothecated to the same English firm





Know all men by these presents,  
that we Peter Woodvine, Thomas  
Sommyer and Ant<sup>l</sup> Collins of the  
County of Escambia and Territory of Florida  
are held and firmly bound unto the Territory  
of Florida in the sum of Five Hundred  
dollars, lawful money of the United States,  
for which payment well and truly to be  
made, we bind ourselves, our heirs, Execu-  
tors and Administrators, jointly and several-  
ly by these presents. In witness whereof  
we have hereunto set our hands and  
seals at our Pensacola, this 30th day of  
April A. D. 1838.

Whereby the above bound Peter  
Woodvine has been this day appointed by  
the Hon: the Judge of the County Court of  
Escambia County, a Constable in and for  
the <sup>Voluntary</sup> District of said County. — it on  
the condition of this obligation is such, that  
if he the said Peter Woodvine shall correctly  
and faithfully perform the duties of his  
said office, then this obligation to be null  
and void, otherwise to remain in full  
force and virtue. — Peter Woodvine

Witness  
Thomas Sommyer

Ant<sup>l</sup> Collins

Approved May 2<sup>d</sup> 1838.

C. Evans  
In & C. C. C.





to secure the payment of \$533,333.33 borrowed by the Union Bank of the United States of Pennsylvania. Had there not been so many wild rumors afloat concerning the weakness of the Territorial bonds, Gamble's mission to Europe would have been easier than it was, because there was no shortage of money in Europe at this particular time, and the rate of interest on American bonds was much higher than it was on European securities.<sup>87</sup>

After Gamble returned to Florida, the newspapers got an inkling of how the bonds were sold and where. They gave much publicity to the sale, and some criticism to the bank president for the discounting of the bonds. The *Florida Herald* in St. Augustine expressed it on October 11, 1839, as follows:

Col. Gamble took away from Florida for sale bonds amounting to 2 million dollars upon which the faith of the Territory was pledged. Before going to Europe he raised half a million of dollars upon them in Northern cities, and in Europe he raised a sum of about the same amount. By the charter of the Bank these bonds cannot be disposed of at a discount; that is, each bond of \$1,000 must be sold for \$1,000, or not sold at all, but by the imprudence of Col. Gamble each bond of \$1,000 is virtually sold for \$600. . . . If our statement be erroneous in any particular let Col. Gamble deny it; we have repeatedly asked for explanations already—we shall be saddled with a huge debt unless the Legislature remedies this evil.<sup>88</sup>

Not only did the newspapers join in condemning Gamble's policy in selling the "faith bonds," but many of the people turned fresh censorship on the banking institutions. From out of the state came complaint, especially from the English capitalists when they learned from private sources that the currency of the Union Bank was at a 25 per cent discount. An active step toward investigation took place when the Commit-

<sup>87</sup> R. C. McGrane, *Foreign Bondholders*, 229-232.

<sup>88</sup> *Florida Herald*, October 11, 1839.



tee on Banks in the national House of Representatives was instructed to inquire into the affairs of the Union Bank. At the same time the Judiciary Committee was ordered to report on the "power of the Governor and Legislative Council to create banks and to pledge the faith and credit of the people of Florida." <sup>89</sup>

On February 25, 1840, the Committee on Banks reported that they had looked into the affairs of the Union Bank and had found "no irregularities in the sale of the first issue of bonds." The Committee, however, did criticize the directors of the bank for the unwise management of the funds secured through the sale of bonds. In the first place, the bank had been founded on borrowed funds, and with those funds it had been extravagant and reckless; all the capital had been distributed among the shareholders. The second issue of bonds sold by Gamble to European investors was sharply disapproved by the committee, because the charter specifically stated that "all bonds sold at a discount were null and void," and it was discovered that they had been sold at ten and one-half per cent discount. <sup>90</sup>

A month later the Judiciary Committee reported upon the power of the Territorial Legislature to create banking institutions. It did not deny the Legislative Council the power to create banks, but it did contradict the authority in issuing "faith bonds." These bonds bound the people of Florida to a debt which they had no part in making. The \$3,900,000 debt amounted to \$200 per capita. In conclusion the committee declared "that such pledge of faith and credit of the people of Florida is null and void." <sup>91</sup>

When the report of these two committees was made public a controversy arose over the payment of the bonds. Public sentiment against payment was rising, but what about those in-

<sup>89</sup> R. C. McGrane, *Foreign Bondholders*, 234.

<sup>90</sup> *Ibid.*, 235.

<sup>91</sup> *Ibid.*, 236.





vestors who had bought the bonds? They secured the bonds confident that the honor of the Territory was behind each one. To some this was a pledge that each person in Florida was responsible, but to others it meant nothing, since they considered that the Legislative Council had no power to bind the people in that way. The Territorial Legislature appointed a committee to examine the banks, and in the summer of 1840 it reported in favor of placing the affairs of the Union Bank in liquidation. The same thing was recommended for the other two institutions of the Territory.<sup>92</sup> "In such an atmosphere in the fall of 1840," says McGrane, "a constitution was ratified [drawn up at St. Joseph the year before] rigidly controlling banks, and a democratic majority hostile to all banking institutions was elected to the Territorial legislature."<sup>93</sup>

Governor Reid devoted part of his annual message on January 11, 1841, to the controversial banking issue. He admitted that all Florida was deeply in debt and that there were no funds ever to pay the Territorial officials. Prices were high, and to add to the misery, specie had almost disappeared. All these misfortunes, he said, were due to the craze for chartering banks, and the wild speculation which had accompanied the movement. To him the banks were creatures of the devil, and it was he who fought to have them regulated by the constitution which was written at St. Joseph. In the muddled financial condition of 1840 Reid offered a suggestion that the "faith bonds" be called in and replaced by bonds of the stockholders. This would relieve the pressure on the sovereign people of Florida, and make responsible those who rightly should be made responsible for the issuance of such security. Practically the plan was beyond being worked out by the bank officials, though it seemed a logical solution.<sup>94</sup>

<sup>92</sup> Enclosed in Reid to Secretary of State, July 14, 1840, State Department Miscellaneous Letters.

<sup>93</sup> R. C. McGrane, *Foreign Bondholders*, 237.

<sup>94</sup> *Ibid.*, 237.





## FLORIDA DURING THE TERRITORIAL DAYS

By 1841 the bondholders were worried and perplexed lest their investments be lost. Governor Call, who had replaced Governor Reid, came to office just as the fury was at its worst. The interest which was due the bondholders on January 1, 1841, was not paid, and Hope and Company in Holland dispatched a letter to Call in behalf of the holders of bonds of the Bank of Pensacola. He urged that the government of Florida make good its pledge to that firm. The governor had no power to make the payment, and there was no need for him to urge the Legislative Council to do so, for there was no money available. He also realized that it would be useless to bring any sort of action against either of the three Florida banks because as he stated they "weren't worth the expense of being sued." It wasn't long before Hope and Company sent another note to Governor Call, even stronger than the first one. The company engaged Edmund J. Forstall of New Orleans to be their representative in pushing the payment of their debt, but very little attention was paid him in Florida. He seized upon the idea that the Federal government was responsible for the debt since the Governor of Florida and some of the other officials in the Territory were Federal officers. The principle was sustained by the United States district attorney at Pensacola, maintaining that since the governor was a Federal appointee, the entire governmental set-up in Florida was begun by the Congress. The Federal government, however, did the same thing about it that the Territorial government had done—nothing.<sup>95</sup>

By the close of 1841 the bondholders were beginning to wonder if they ever would realize anything from their investments in the Territory. The President of the United States was asked to intervene, but he refused by saying that such power rested with the Congress.<sup>96</sup> All hope of recovering their

<sup>95</sup> *Ibid.*, 238-240.

<sup>96</sup> D. Y. Thomas, *Banking in Florida*, 54.



money had vanished by January, 1842, and in March the matter was settled when the Legislative Council passed a law repudiating the "faith bonds," and forever disavowing any responsibility for the payment of them. The act read as follows:

Be it enacted by the Governor and the Legislative Council of the Territory of Florida, That all laws of the Territory of Florida or guarantees of the Bank Bonds or certificates of said Territory, which have come or hereafter may come, into the possession of the Executive of this Territory, shall be cancelled by drawing lines across the face of the same, and signing the name of the Governor, and Secretary of the Territory, if not the Acting Governor, and by cutting off the seals therefrom, and a record of such cancellation shall be made, and the papers so cancelled, be filed away in the Executive office. Section 2nd. Be it further enacted, That no Governor of this Territory, shall hereafter sign, seal or deliver any Bond obligation or guarantee of the Territory, or purporting to bind this Territory, to any Bank or other corporation whatsoever, any law to the contrary notwithstanding, and if any Governor shall sign, seal and deliver, any such bond, obligation or guarantee so made and delivered, the same shall be absolutely null and void.<sup>97</sup>

The practice of repudiation was not common in 1842, and to many it was nothing less than a disowning of a moral obligation to pay a debt, but it was the only way out for Florida. She could not have done otherwise.

The act of repudiation virtually killed all three of the existing banks in Florida. An act on March 16, 1843, sealed the doom of the Union Bank by suspending the banking power of the Bank.<sup>98</sup> The other two banks went the same way. By 1845 there was not a bank in operation in the Territory, and thus a long period (1836-1845) of financial distress had been concluded. This failure had discouraged all financial enterprises and had left the people skeptical of any sort of banking in-

<sup>97</sup> *Florida Laws*, March 4, 1842.

<sup>98</sup> C. M. Brevard, *History of Florida*, II, 216.



stitution which might accompany statehood. For this reason many Floridians viewed the coming of statehood in 1845 with concern and apprehension.

No other bank was given a charter in Florida, however, until 1851.<sup>99</sup>

<sup>99</sup> *Ibid.*, 227.





## *Chapter VIII:* FRONTIER TOWNS

THE RISE OF TOWNS AND SETTLEMENTS IN FLORIDA AFTER THE acquisition by the United States was to be expected. The long coast line of the Territory, extending all the way from the Perdido River on the west to the St. Marys River on the east had many good, natural harbors, some of which served as basins into which navigable rivers emptied their waters. The Gulf Coast offered many advantages for coastwise commerce. With the coming of American occupancy added impetus was given to trade with larger towns in this section, including Mobile and New Orleans. In 1821 Pensacola was the only Florida settlement on the Gulf that could be considered of real importance, but before many years Apalachicola and St. Joseph had become formidable rivals of Pensacola and bitter enemies of each other for the commerce of the Gulf. Smaller towns like Port Leon, St. Marks, Magnolia, Newport, and Tampa also figured in the picture.

Pensacola was more than a hundred years old when the American flag displaced the Spanish flag in 1821, but scarcely 2,000 inhabitants resided in the town. It was a typical Spanish village but, as the seat of government of West Florida, enjoyed a considerable commercial life. The harbor was one of the best in the South, but it lacked the one thing which a thriving seaport town of Territorial days needed to insure rapid growth, namely, a navigable river connection with the interior. Railroads were few in number and overland passage was extremely slow and expensive. Consequently it was exceedingly difficult to transport commodities from the interior to a seaport town, or from the seaport to the interior, except



by water. Pensacola had grown despite her handicaps. During the first harvest season after Florida came into American possession, cotton from Alabama and Mississippi began to arrive at Pensacola. Cotton was transported several hundred miles by wagon, ox cart, and all other available means of conveyance. In the fall of 1821 cotton sold for an average of about fifteen cents per pound, and with money being paid out in large sums for the cotton, the merchants of the thriving little town became prosperous.<sup>1</sup>

Property rapidly increased in value and speculators rushed to Pensacola from far and wide although many Spanish left the city as the Americans came in. Capitalists were anxious to buy at any price as the bubble continued to expand. But Pensacola's prosperity was temporarily halted in the summer of 1822 when a dreadful scourge of yellow fever left the city all but destitute. Commerce and industry languished and many people fled the city, including the members of the Legislative Council which was in its first session.<sup>2</sup>

Despite the early organization of a board of health and the presence of several good physicians in the city, the fever lasted for several months. During the summer of 1822 the editor of the *Pensacola Floridian* assured the people that the malady was of a very mild form and that at the worst it could not last long. He asserted that the greatest danger was from fear, and that all of those who were apprehensive about the disease should leave town. A host of people took the advice and left for other places, but many who remained in the city fell victim to the dreaded disease.<sup>3</sup> The scourge attracted nation-wide attention, and on October 9, 1822, the *National Intelligencer* reported that "A terrible epidemic has hit Pensacola during the early part of August and September and killed many

<sup>1</sup> *Pensacola Floridian*, November 5, 1821.

<sup>2</sup> R. H. Rerick, *Memoirs*, I, 145.

<sup>3</sup> *Pensacola Floridian*, August 17, 1822.



## FRONTIER TOWNS

Americans. The creoles are generally exempt from it. About one hundred and fifty have died from the fever. . . ." <sup>4</sup> A later issue said, "Latest accounts of the fever at Pensacola are truly appalling. Death and desertion have nearly depopulated the town. . . ." <sup>5</sup> By 1823 the city was reduced to about 1,200 inhabitants.

The ravages of the fever had subsided after about six months and never again was Pensacola visited by such an epidemic. Mild epidemics ran their courses in 1827 and in 1831, but were not severe enough to menace the growth of the city. <sup>6</sup> As the population of the town grew, trade and commerce increased. In one week of 1824 some 7,474 bales of cotton were exported to New Orleans, most of it having come from Alabama, Tennessee, and Mississippi. <sup>7</sup> Pensacola, though not very large, was becoming a rival of both New Orleans and Mobile for the commercial interests of the Gulf region. The customs house reports for 1825 showed an increase of 837 bales of cotton over the preceding year. There was reason to believe that even more cotton would be exported from Pensacola within the next few years for the planters were beginning to grow more and more cotton. <sup>8</sup>

The lumber industry also contributed to the commercial importance of Pensacola, and building material was shipped to many points from that place. But while the lumber industry continued and the growing of cotton became more prominent, Pensacola had by 1834 begun to lose its prosperous atmosphere. The influx of immigration into Pensacola declined, and capitalists withdrew their money to invest in other places. Other Gulf towns came to the front in the commercial world, and Pensacola had to be satisfied with her beautiful

<sup>4</sup> *National Intelligencer*, October 9, 1822.

<sup>5</sup> *Ibid.*, October 12, 1822.

<sup>6</sup> Duval to Jackson, October 4, 1831, Jackson Papers.

<sup>7</sup> *Pensacola Gazette*, May 22, 1824.

<sup>8</sup> *Ibid.*, July 18, 1825.





## FLORIDA DURING THE TERRITORIAL DAYS

harbor which, after all, was her most prized possession. In 1835 the *Pensacola Gazette* observed:

It is now apparent that there was then (in 1821) no substantial basis for these speculations to rest upon—The only things that gave them the least plausibility was the unequalled advantages of our harbor. But experience soon showed that we lacked what was then more infinitely more important, a navigable river to connect us with the interior. We were an oasis to be sure, but no caravans came to refresh themselves at our grateful fountains, or to crop the green herbage of our redundant pastures. Holders of property became willing to sell, but no purchasers could be found. The place had risen like the fabled palace of Aladdin in a single night, but it had fallen as quickly. Mobile and New Orleans now possessed the magic lamp that gave power over the wonder-working spirit of commerce. Money may build towns but in this country, nothing but commerce can sustain them, and twelve years of painful experience, has satisfied us all that we can have no commerce without a direct permanent and facile communication with the interior.<sup>9</sup>

As Pensacola's efforts to build a railroad to the interior were unsuccessful during the Territorial period, she remained the city with the beautiful harbor.

Pensacola's harbor, however, gave the city one advantage over the other Gulf towns, for it was there that the United States government decided to build a navy supply and repair yard. Immediately after Florida became a part of the United States, the Secretary of War had the bay at Pensacola surveyed, and soon after the same area was examined by the Navy Department. Congress thereupon decided to erect a navy yard for repair of warships in the Gulf, and a naval depot. A law was passed in 1825 authorizing the establishment of a navy yard on the Gulf coast, but did not specify Pensacola as the location. It was thought best to have the place of location de-

<sup>9</sup> *Ibid.*, June 20, 1835.



terminated by the Secretary of the Navy, although Pensacola had already been virtually decided upon as the place. There was a feeling prevalent among many congressmen that the yard should be located at some point farther south than Pensacola, but no other place was favored with such an ideal defensible location. Tampa and St. Joseph Bay were considered, as was Charlotte harbor farther to the south. The question of the location of the navy yard greatly agitated the several localities. The inter-town controversy even became an issue in the 1825 campaign for the election of a Congressional delegate when the enemies of James Gadsden posted handbills throughout Pensacola which gave the impression that if Gadsden were elected he would fix the naval depot at Tampa rather than at Pensacola. The *Pensacola Gazette*, friendly to Gadsden's candidacy, pointed out that the rumors were false and that Gadsden favored Pensacola over Tampa.<sup>10</sup> Gadsden was not elected, but the rumor probably played no part in his defeat. In fact, the information which he gave the government in regard to Pensacola had considerable weight in the final selection of Pensacola.

In 1825 Secretary of Navy Samuel Southard selected William Bainbridge, Lewis Warrington, and James Biddle as a committee to go to Pensacola and determine if there were a site there suitable for a navy yard. On November 4, 1825, they reported to Southard that there was an excellent location just out of Pensacola in the vicinity of Fort Barrancas that offered ample facilities for such an undertaking.<sup>11</sup> Immediately a board of engineers was sent to Pensacola to study the various technicalities connected with the defense of the seaboard and also to pass judgment on the site which had been selected. The board's report on March 24, 1826, approved the location near Pensacola, and said that the yard could be defended but ad-

<sup>10</sup> *Ibid.*, May 7, 1825.

<sup>11</sup> *American State Papers, Naval Affairs*, 18 Congress, 2 Session, II, 111.





mitted that the city was too far north. The people of St. Joseph, still hoping that Pensacola would be turned down and that their city might be selected, gave out some information concerning the depth of the harbor which the *Pensacola Gazette* branded as "false and untrue." St. Joseph's effort came too late as the matter had already been settled by the Navy Department.<sup>12</sup>

Congress was exceedingly slow in making an appropriation for the navy yard, but in 1830 the yard was established and Captain Lewis Warrington was selected to become the first commander. John Branch, at that time Secretary of the Navy, pled with Congress for more appropriations, pointing out the prominence of the yard and the need of such a station.<sup>13</sup> Small appropriations were grudgingly made from time to time, and in 1842 the sum of \$100,000 was asked for by the Navy Department to make needed improvements at the Pensacola yard, but the bill was overwhelmingly defeated.<sup>14</sup> At the close of the Territorial period the yard consisted only of meagre quarters for the officers. There was a stone house and a wall to keep out the pigs and other animals which roamed at large about the place. The editor of the *Pensacola Gazette* declared that nothing had been appropriated for a dock of any description, and that the only wharf at the yard cost scarcely \$1,000. The editor continued to blast at the neglect by Congress of such an important project. Improvements came as slowly as appropriations, and it was not until 1850 that its first floating drydock was completed.<sup>15</sup> Just prior to the Civil War the yard was put into condition for very efficient service.

Barrancas, only a short distance from Pensacola, had been the site of military fortifications for a number of years, but in 1831 Congress realized that this was not enough defense for

<sup>12</sup> *Pensacola Gazette*, April 6, 1827.

<sup>13</sup> *Congressional Debates*, 21 Congress, 2 Session, Appendix 18.

<sup>14</sup> *House Journal*, 27 Congress, 2 Session, 1142.

<sup>15</sup> *Executive Documents*, Number 1, 31 Congress, 2 Session, I, 197.





the bay. Two new forts were constructed across Pensacola Bay, one on Santa Rosa Sound and the other on Foster's Island. They became known as Fort Pickens and Fort McRee, and were built under the direction of Captain William H. Chase, of the Engineering Corps of the United States Army. The two new forts commanded the entrance to the bay across a narrow strip of water. The military defenses of Barrancas were temporarily abandoned in favor of the two newly constructed strongholds, for no one believed that enemy ships could penetrate the outer defenses and reach the navy yard nestled close to Pensacola.<sup>16</sup>

The defense projects brought prosperity back to Pensacola, and in a few years the city was again enjoying normal growth. In 1837 its inhabitants numbered about two thousand; but the old Spanish town was destined never again to enjoy the importance it had in the earlier Territorial period. Apalachicola and St. Joseph, two typical American towns, became more alluring for the nineteenth century settlers, adventurers, and speculators.<sup>17</sup>

Apalachicola was the real boom town of Territorial Florida. The town had everything that nature could provide for a commercial center. Its harbor was not as good as that of Pensacola, but the Apalachicola River, which served the city, was deep and navigable for a long way up, being formed by two navigable streams, the Chattahoochee and the Flint Rivers. By the middle of the 1830's Apalachicola was the most important Florida Gulf town, having climbed above Pensacola in rank. Only New Orleans and Mobile could boast of more trade and commerce, or a larger population.<sup>18</sup>

Apalachicola began to grow rapidly soon after the acquisition of Florida by the United States. Since the Apalachicola

<sup>16</sup> H. Clay Armstrong (ed), *History of Escambia County, Florida*, 95.

<sup>17</sup> J. L. Williams, *Territory of Florida*, 123.

<sup>18</sup> *Apalachicola Gazette*, December, 2, 1836.



## FLORIDA DURING THE TERRITORIAL DAYS

River served parts of Florida, Georgia, and Alabama, many came to the town of Apalachicola on their way to Mobile, New Orleans, and other places. Often they stopped and became permanent residents. Enterprising people from other towns settled in the city when news of the city's prosperity was spread abroad. So much commerce was being carried on in 1825 that the United States government appointed a customs collector for the port. Many business houses were established, capital was invested, and the future growth of the city seemed assured.<sup>19</sup>

Difficulties arose, however, because of the fact that the town was located on a private grant to Forbes and Company made during the Spanish occupation. The original Forbes Purchase extended all the way from the St. Marks to the Apalachicola River and contained 1,200,000 acres of land. The Apalachicola Land Company secured a portion of this tract, that on which the town was built, for the purpose of private sale and speculation. The Land Company sold the town lots, which were some of the most select on the entire Gulf coast, for high prices.<sup>20</sup> In 1835 the United States Supreme Court declared the Forbes Purchase void, but cleared the title of the Apalachicola Land Company. This action gave rise to a feverish period of speculation and brought temporary prosperity to the town. Many of the early immigrants had settled on lands acquired under the Forbes claim, and these people along with the unfortunate squatters either had to leave or else pay the exorbitant prices demanded by the Apalachicola Land Company. The poorer people were forced to give up their lands and seek other places to settle, while those who were able to pay the price demanded by the Land Company remained in their homes.<sup>21</sup>

<sup>19</sup> *Ibid.*, November 5, 1836.

<sup>20</sup> *Articles of Agreement and Association of the Apalachicola Land Company*, 2-5.

<sup>21</sup> W. T. Cash, *Story of Florida*, I, 328.





## FRONTIER TOWNS

The activities of the Apalachicola Land Company stimulated rapid development of the city. Several three story buildings, along with smaller structures, were erected. Homes were built by new settlers and so high was the spirit of speculation that \$13,000 was refused for one town lot. In 1836 the Apalachicola River was dredged so that larger boats could enter the harbor. Cotton receipts for the year 1835-36 amounted to over fifty-five thousand bales.<sup>22</sup> The Bank of Pensacola and the Southern Life and Trust Company both established branches with considerable capital in Apalachicola. A large hotel was erected and elaborately furnished to accommodate the huge crowds that visited the city. The hotel was the center of much social activity in the town.<sup>23</sup>

The local paper boasted in November, 1836, that "Business in Apalachicola has seldom been better. Our wharves are covered with goods and lined with shipping; the warehouses are filled to overflowing, numerous steamers lie at our ports. More people are here than ever before. The health of Apalachicola has, like its commerce, taken a wonderful stride. The city enjoys a mild climate."<sup>24</sup>

On land sale days the town took on a festive atmosphere. People from far and near were present to buy the lots offered by the Apalachicola Land Company. And there were some, too, who came just to look on. The hotels were usually filled, and the streets were decorated with the brightest colors. The crowds were loud and boisterous.

Apalachicola grew into a place of wickedness and vice. People who were religiously inclined found it an unsatisfactory place in which to live. Reverend Peter Haskew, a Methodist circuit rider, visited the town about once each month, in an attempt to reform the morals of the people, but his job was a difficult one indeed. On May 1, 1839, after preaching to a very

<sup>22</sup> R. H. Rerick, *Memoirs*, I, 166.

<sup>23</sup> *Apalachicola Gazette*, December 2, 1836.

<sup>24</sup> *Ibid.*, November 5, 1836.





small congregation, he wrote, "I still have to mourn, my pour soul, the unfaithfulness of the members."<sup>25</sup> In September Haskew wrote as follows:

I have gone down on Saturday [to Apalachicola from St. Joseph] and returned Monday Morning, having to pay my way at the tavern where they charged me six dollars for a day and a half for myself and horse, and this time there was so much cursing and noise that I could not rest well. . . . I was a little fearful that they would break into my room. Such conduct about a house must have a deleterious effect. If they continue so it will surely sink. People will hunt elsewhere. This is, in its present garb, a cruel place, even the hostler was drunk.<sup>26</sup>

The minister was exceedingly glad to leave his circuit in Florida in 1840, and take a more refined circuit in the Methodist conference in Georgia.

Apalachicola's boom period lasted for about four years. By 1840 conditions did not look so rosy as they had in the thirties. The city did not experience a severe depression, but the keen edge of prosperity had worn off, and the people settled down to normal development. The rougher element left the town and Apalachicola lost its reputation as a place of vice and evil. Commenting on the changed conditions, the *Florida Journal* said, "Education is receiving some attention. . . . The churches again are open and well filled. The morning sermon by Reverend A. Bloomer Hart of the Episcopal church was splendid, and Reverend Mr. Wilson of the Baptist church delivered a blunt and honest sermon."<sup>27</sup>

Cotton continued to pour into the harbor for exportation. One observer, noting the many bales of cotton lining the streets and wharves, said that Apalachicola looked like New Orleans at the time of Old Hickory's victory in the War of

<sup>25</sup> Peter Haskew, Diary, May 1, 1839.

<sup>26</sup> *Ibid.*, September 23, 1839.

<sup>27</sup> *Florida Journal*, December 3, 1842.



## FRONTIER TOWNS

1812.<sup>28</sup> The river and the harbor made the town the most important Florida settlement on the Gulf coast. The *Commercial Advertiser* said on August 3, 1844, that "We are growing in size and morality—we have a beautiful town."<sup>29</sup> The people of Apalachicola believed in their town, and refused to let Pensacola, or any other place in Florida, become more important.

In 1835 St. Joseph arose on the Gulf Coast and gave stiff competition to Pensacola and Apalachicola for the trade of the region. The city had a phenomenal rise, but since it was an outgrowth of the speculative era of the middle thirties, its life came to an end rather abruptly. The town was located on the beautiful bay of St. Joseph about twenty-eight miles east of Apalachicola. For years the bay had been admired as a thing of beauty and as a subject of some bit of interest. A rural community had for many years existed near the bay, and the navigator stopped occasionally on its shores, but very few had settled there permanently.

Considerable interest was aroused in St. Joseph's Bay in the 1820's, when the Navy Department was searching for a place on the Gulf to locate a new naval yard; but Pensacola, anxious to secure the project, did everything in her power to prevent the St. Joseph site from being selected. After the town of St. Joseph had been established Pensacola became concerned over the possibility of the removal of the navy yard to the new city. Pensacola did everything possible to discredit St. Joseph. The *Pensacola Gazette* found many objections to the location of St. Joseph as a navy yard, and boasted of Pensacola's superiority. The editor pointed out that the harbor of St. Joseph Bay was entirely too shallow to support a navy yard. He added that the health of the people of St. Joseph was not good, and due to that fact alone it would be unwise to move any large

<sup>28</sup> *Commercial Advertiser*, August 3, 1844.

<sup>29</sup> *Ibid.*



## FLORIDA DURING THE TERRITORIAL DAYS

enterprise there.<sup>30</sup> The keen rivalry between the two localities never ended until St. Joseph had declined to a second-rate Gulf town.

But the rivalry between St. Joseph and Pensacola was not so bitter as that between Apalachicola and St. Joseph. The founders of St. Joseph had resided in Apalachicola as squatters but left that place in mass in 1835 because the Apalachicola Land Company charged exorbitant prices for the town lots. Some of them left Apalachicola with vengeance in their hearts, because they had been driven from lots on which they had lived for years. Realizing that the bay of St. Joseph would offer an excellent site for a town they settled there, and worked feverishly to build a town that would outstrip their former home.<sup>31</sup> The two towns were only twenty-two miles apart. Within a year's time St. Joseph threatened to take Apalachicola's prominence as a seaport town, and the rivalry became more keen.

The founders of St. Joseph realized that their town would suffer because of the lack of inland water transportation. Apalachicola was a thriving town mainly because she was located on the navigable Apalachicola River, but St. Joseph had the use of no such river. However, an attempt was made to bring the commerce of the Apalachicola River to St. Joseph by the construction of a railroad between the river and St. Joseph Bay. Near the mouth of the river a large bayou, called Lake Wimico, extends to within eight miles of the St. Joseph Bay. The plan was to dredge the Lake, so as to furnish easy passage for steamers. Commerce could then be brought down the Apalachicola River to Lake Wimico, then through that body of water and transferred to a short railroad for the remainder of the distance to St. Joseph. The railroad was poorly built and the plan was never a complete success, but the idea

<sup>30</sup> *Pensacola Gazette*, January 16, 1836.

<sup>31</sup> *Niles' Weekly Register*, XXXVIII, 337.





aroused much interest throughout that section of Florida. Apalachicola was angered by St. Joseph's effort to "steal" from her the much prized commerce she had built up for herself on the Apalachicola River. Some planters in South Georgia, East Alabama, and North Florida began to direct their cotton to St. Joseph rather than to Apalachicola, but they had much trouble in getting it over the eight miles of poorly constructed railroad after it left the boat at Lake Wimico. Apalachicola begrudged every bale that went to St. Joseph.<sup>32</sup>

In 1839, a railroad was built directly from St. Joseph to a place on the river north of Lake Wimico called Iola. The construction of this new road improved St. Joseph's chances of besting her rival for the cotton trade because the road shortened the distance the planters of Georgia and Alabama had to ship their cotton.<sup>33</sup> Iola was only twenty-eight miles from St. Joseph, but seventy-five from Apalachicola. The editors of the *Apalachicola Gazette* and the *St. Joseph Times* exchanged bitter words over St. Joseph's attempt to take the cotton trade away from Apalachicola. When accused by the *Gazette* of unfair competition in their commercial affairs, the *Times* maintained that St. Joseph's "opposition has been pacific and honorable. We have descended to no falsehoods, no trickery to accomplish our ends. . . ." <sup>34</sup>

St. Joseph grew like a mushroom. Money was lavishly spent in dredging Lake Wimico, in building the railroad, and in constructing wharves and warehouses on the bay. The beauty of the ocean harbor attracted many visitors, and St. Joseph became a gala city of pleasure seekers. The population grew to about 4,000 by 1839.<sup>35</sup> But the *Pensacola Gazette* was unimpressed. It remarked that "the town has an air and aspect of newness that is scarcely to be seen anywhere else. The space

<sup>32</sup> *Pensacola Gazette*, November 7, 1835.

<sup>33</sup> R. H. Rerick, *Memoirs*, I, 167.

<sup>34</sup> *St. Joseph Times*, November 7, 1840.

<sup>35</sup> E. C. Long, *Florida Breezes*, 302.



which is covered by the town is large, the streets are wide, the squares numerous, and many of the lots, especially those owned by persons abroad, are unoccupied.”<sup>36</sup> The editor of the *Apalachicola Gazette* described St. Joseph quite differently. He made a visit to the rival town in the spring of 1837 to get a first-hand view of the construction and feverish expansion. After his return home he characterized St. Joseph as a town of wickedness and licentiousness, of moneyed men and pretty women. He saw very little good that could possibly come from such a place. “The devil himself,” he said, “is not half so ugly as he is painted.”<sup>37</sup> Previous to his visit he had dubbed St. Joseph a “humbug” and a “bubble” town that was sure to fail.<sup>38</sup>

St. Joseph tried exceedingly hard from 1835 to 1840 to outclass Apalachicola commercially, but was unable to do so. One hundred and five thousand bales of cotton were shipped from the two towns during 1839, but nearly 75 per cent of them were shipped from Apalachicola. St. Joseph had everything but nature on her side: she had money, people, material advantages, and the will to work; but Apalachicola had the river, and consequently, was the winner.<sup>39</sup>

St. Joseph was licked at her own game. In 1840 the city announced that a new train route from Charleston to New Orleans would be opened by way of St. Joseph, but the route never materialized. The citizens of Apalachicola attempted to buy out the promoters of St. Joseph’s commercial enterprises, and a great deal of publicity was given to the proposed purchase. This publicity served only to humiliate the inhabitants of St. Joseph.<sup>40</sup> An epidemic of yellow fever hit the town in the summer of 1841 and killed all hope of a commercial re-

<sup>36</sup> *Pensacola Gazette*, June 30, 1838.

<sup>37</sup> *Apalachicola Gazette*, June 3, 1837.

<sup>38</sup> *Ibid.*, September 28, 1836.

<sup>39</sup> James Owen Knauss, “St. Joseph, an Episode of the Economic and Political History of Florida,” *Florida Historical Quarterly*, V (July, 1927), 11.

<sup>40</sup> *Ibid.*, 13.





covery. The disease was thought to have been brought to the town by way of an infected ship from some one of the greater Antilles. St. Joseph had been considered one of the healthiest places in the South, and people from many places had gathered there for summer vacations, among them many of the leading citizens of Florida. The malady was no respecter of class, creed, or age. Many were stricken with the disease and died. Many others fled the city, and by August, 1841, there were scarcely five hundred people left in the town. Business of all kinds was at a standstill, and very few ships entered the harbor. The *St. Joseph Times* suspended operations, and the editor fled for his life. In September another malicious stroke by nature all but depopulated St. Joseph. A strong hurricane swept in across the Gulf, leaving death and destruction in its path. Buildings, wharves, and homes were demolished, and trees were uprooted. The prostration of the city was made complete by the rising tide from the sea.<sup>41</sup>

In the early months of 1842 a few citizens found their way back to the devastated little town. To rebuild the city was an impossibility. The plague and the storm left nothing with which to begin anew. Apalachicola, the town that had once been the bitter rival of St. Joseph, was cordial to those who desired to make their homes in that city. A considerable migration took place to that town. The *Florida Journal* declared that the old rivalry was at an end, and "we are glad to see our St. Joseph friends and welcome them with open arms. . . . We recognize many excellent merchants and worthy people. We have business for all." But the editor of the *Journal* jubilantly announced that the end for St. Joseph had come. "St. Joseph," he proudly proclaimed, "is dead, but we [Apalachicola] are alive, healthy, and kicking prodigiously."<sup>42</sup> Little other than three graveyards was left to tell the story of the

<sup>41</sup> J. O. Knauss, "St. Joseph, an Episode of the Economic and Political History of Florida," *loc. cit.*, V (July, 1927), 11-14.

<sup>42</sup> *Florida Journal*, September 23, 1842.





rise and fall of a boom town. So depopulated was the town that the iron tracks of the once valued railroad to Iola were taken up and moved away.<sup>43</sup>

Nature's treatment of the city gave rise to the belief among many that it was God's will for St. Joseph to be destroyed because of her wickedness, as was the case of Sodom and Gomorrah of Biblical days.<sup>44</sup> Whether or not St. Joseph was a place of utter wickedness might be a point of controversy. Certainly it was no more wicked than Apalachicola in its heyday of prosperity, for speculation and prosperity always brought a certain amount of licentiousness and immorality. St. Joseph for many years was a gay town. It was a resort town and catered to the wealthy people. There were a race track, a theatre, saloons, taverns, and other places of entertainment.<sup>45</sup> Very little attention was paid to religion of any kind. Reverend Peter Haskew, the Methodist circuit rider, stated in 1839 that he "left but two stewards of the station and but fourteen members. . . . It is a hard place for me to labor in. . . . I left rather glad to go, but I suppose I should pity the man who has to labor here the ensuing conference."<sup>46</sup>

Some small degree of rivalry existed between St. Marks and Magnolia in the late 1820's over the location of a port of entry. Both towns were very small, but each enjoyed a modest amount of commerce. Congress seemed to favor Magnolia, but the citizens of St. Marks and Middle Florida petitioned Congress, asking that the latter city be given consideration. St. Marks did become the port of entry<sup>47</sup> and Magnolia slowly passed out of existence, becoming one of Florida's dead towns.

<sup>43</sup> R. H. Rerick, *Memoirs*, I, 167.

<sup>44</sup> J. O. Knauss, "St. Joseph, an Episode of the Economic and Political History of Florida," *loc. cit.*, V (July, 1927), 16.

<sup>45</sup> *Florida Journal*, December 24, 1842.

<sup>46</sup> Peter Haskew, *Diary*, December 2, 1839.

<sup>47</sup> Citizens of St. Marks to Congress, February 16, 1829, House of Representatives Files.



## FRONTIER TOWNS

Port Leon, which for many years gave competition to larger seaports, became another of Florida's dead Gulf towns. A railroad was built to the town very early, and gave service to the interior, but most of the road was washed up by flood waters and was not relaid any further than St. Marks. A severe storm struck Port Leon on September 13, 1843, and the town was so badly damaged that it was abandoned. A site was selected for a new town some two or three miles higher up on the St. Marks River, and there the refugees from the ill-fated Port Leon made their homes. The new town was named Newport.<sup>48</sup> The little settlement on Tampa Bay, known as Tampa, became a military stronghold during the latter part of the Territorial period, but it was too far down the Gulf Coast to offer much competition or economic rivalry to the older towns farther north. Pensacola, Apalachicola and St. Joseph held the lead in economic rivalry and development.

The long navigable St. Johns River and the four hundred mile stretch of east coast-line contributed immeasurably in the development of urban centers in East Florida. Settlements were established either on the coast or on the river, as both gave access to coastwise commercial trade. Most of the country was flat and sandy, but much interest was shown in this section of the Territory primarily because it had been for centuries an important part of the Spanish Empire in North America. When the change of flags took place in 1821, there were several Spanish villages in East Florida, the most notable being the ancient town of St. Augustine.<sup>49</sup>

St. Augustine was a community of less than 2,000 persons in 1821. It was about three-quarters of a mile in length, and one-fourth of a mile in depth, with houses and buildings

<sup>48</sup> *National Intelligencer*, October 14, 1843.

<sup>49</sup> William W. Dewhurst, *History of St. Augustine, Florida*, 144. Cited hereafter as *St. Augustine*.



scattered here and there. The streets were regularly laid out, but the houses and buildings did not conform to any one plan; it was typically Spanish. The buildings were usually two stories high with thick walls, huge doors, high windows, and balconies. The government house commanded the center of the town, in front of which was a large square called the parade. Opposite the parade from the government house stood the market place, which was a place of much interest. Other structures of importance along the parade were the highly ornamental Roman Catholic Church, and the would-be spacious statehouse, which was begun during the period of British control, but left to crumble when only about half finished. Not far away stood a former Franciscan convent and the ruins of the British barracks. Only the stacks of the chimneys remained. All of the houses were badly in need of repair, as it had been some time since the Spanish had made any improvements on either private dwellings or public buildings.<sup>50</sup>

The most interesting piece of architecture in St. Augustine at the time of American occupation was the Castle of Fort St. Marks. It had been standing since the seventeenth century, and was originally called San Juan de Pinos. The name had been changed to San Augustin and later to San Marco. The name Fort Marks had been given to it by the British during their occupancy from 1763 to 1783. It was considered by many the most unusual fort in the western hemisphere. It mounted sixty guns of twenty-four pounds each and was capable of holding as many as a thousand men. It had repelled many formidable attacks and had become well known throughout the United States. It was almost immune from attack by sea, since the bar in the harbor kept large boats at a considerable distance. The fort was given the American name of Fort Marion soon after the United States government took control; the name was for General Francis Marion of Revolutionary

<sup>50</sup> *Ibid.*, 144-147.





## FRONTIER TOWNS

same, but it was unpopular with most of the Spanish inhabitants of St. Augustine.<sup>51</sup>

Soon after Florida became a part of the American nation, an epidemic of yellow fever spread about the vicinity of St. Augustine. Many people left the city, but the disease ran its course within a few months. A slow influx of population from various parts of the United States followed, many people of aristocratic and cultural standing coming to the old town to make their homes. The 1830 census gave St. Augustine 1,708 inhabitants.<sup>52</sup> Other people came with the outbreak of Indian hostilities, most of them being connected with the United States army.

Throughout the Seminole War, St. Augustine was one of the most important towns in Florida. It served as a military post and great numbers of soldiers, supplies, and provisions with which the war was to be prosecuted were collected there.<sup>53</sup> The war period was accompanied by prosperity and speculation. Because of the Indian depredations in the country around St. Augustine, many Floridians found safety within the city and by 1840 the population had increased to nearly 3,000.<sup>54</sup> City property became quite valuable, and rents rapidly increased. Speculators found the town ripe for exploitation. One Peter Sken Smith projected a new city to the north of the ancient town and one to the west. People became highly excited. They proposed, and expected to see completed, a canal between St. Augustine and the St. Johns River and one between the Halifax River and the Matanzas River, also a railroad connecting Picolata with St. Augustine. The town became a hubbub of frenzied speculation, but the end came with a crash, just as it did to the banks, the railroads, and other Florida projects. When the War was over in 1842, St. Augustine lost its

<sup>51</sup> Charles B. Reynolds, *Old St. Augustine*, 132.

<sup>52</sup> *Fifth Census, 1830*, 156-157.

<sup>53</sup> W. W. Dewhurst, *St. Augustine*, 151.

<sup>54</sup> *Sixth Census, 1840*, 96-97.



## FLORIDA DURING THE TERRITORIAL DAYS

prominence as a military center, and with that prominence went much of the city's prestige in the Territory. St. Augustine was never again to enjoy the place of superiority among the towns of East Florida.<sup>55</sup>

While many Spanish left St. Augustine when Spain ceded Florida to the United States, a considerable number remained. John Lee Williams asserted in 1837 that over half of the population of St. Augustine was strictly American.<sup>56</sup> Spanish, French, Greeks, and Italians made up the rest of the population. A prominent element in the native St. Augustine population was the group descended from the early Minorcan families introduced by Andrew Turnbull during the British occupancy of Florida. A large number of these people were brought to Florida from the island of Minorca, not far from the coast of Spain. They first settled in New Smyrna, but after hardships befell them there many of them migrated to St. Augustine. It took many years to weld these people into a city of homogeneity.<sup>57</sup>

The town was governed by a mayor and four aldermen, chosen from the city at large. The annual revenue, raised from licenses on places of business, amounted to about \$1,500. In 1837 the city contained seven dry goods stores, six boarding houses, and thirteen grocery stores; and three doctors, ten lawyers, one printer, one painter, four masons, seven carpenters, two shoemakers, one gunsmith, two tailors, one tanner, and five "segar" makers resided in the city.<sup>58</sup> Spanish, French, and English were spoken by the people; but English was rapidly gaining the ascendancy.

By the latter part of the Territorial period St. Augustine had become a resort for people suffering from pulmonary and

<sup>55</sup> George R. Fairbanks, *History of St. Augustine, Florida*, 187. Cited hereafter as *St. Augustine*.

<sup>56</sup> J. L. Williams, *Territory of Florida*, 119.

<sup>57</sup> *Niles' Weekly Register*, XLII, 201.

<sup>58</sup> J. L. Williams, *Territory of Florida*, 119.





## FRONTIER TOWNS

bronchial ailments. The climate became attractive for invalids and the aged, as it compared favorably with that of the best resorts in Europe and other countries. The warm, tropical climate also brought the orange industry to this region. The trees thrived, and much fruit was shipped from St. Augustine. During the early 1830's the populace depended greatly on the orange crops for their economic wellbeing. In 1835 Florida was visited by a severe freeze, the worst in its history; the mercury dropped to seven degrees below zero in St. Augustine, and in many places the St. Johns River was frozen several rods from the bank.<sup>59</sup> The orange trees were nearly all killed, and St. Augustine suffered economically. The groves were replanted in 1836 and had reached the peak of their production by 1842, when an insect called the orange coccus became a menace, thereby decreasing the production. Many years passed before the insect was effectively checked, and by that time the Florida citrus belt had moved farther south.<sup>60</sup>

To the north of St. Augustine about thirty miles, located not far from the mouth of the St. Johns River, was an Indian fording place. A community developed at the ford and grew slowly during the Territorial period, but later expanded into the metropolis known as Jacksonville. The Indian fords were usually located at shallow or narrow places in the river in order that cattle might cross the streams; hence the Indians called the St. Johns ford "Wacca Pilatka," an Indian word meaning a ford or a place where cows might be driven across the river. When the English came to Florida they substituted the name "Cowford" for the prominent "Wacca Pilatka" near the mouth of the St. Johns, and after 1821 it was generally known by that name. The place was nothing more than a point on the river, as very few settlers resided at the crossing.<sup>61</sup>

<sup>59</sup> R. H. Rerick, *Memoirs*, II, 267.

<sup>60</sup> G. R. Fairbanks, *St. Augustine*, 185.

<sup>61</sup> T. F. Davis, *History of Jacksonville*, 25.





## FLORIDA DURING THE TERRITORIAL DAYS

The first permanent settler at Cowford was Robert Prichard, who held a Spanish land grant. Prichard's wife did not like the plantation, and he moved down the river to San Antonio, later known as Mandarin. John Lain, overseer on the Prichard farm, remained at Cowford with the slaves and cultivated some of the lands. Part of the Prichard land was sold to Mrs. Marie Taylor in 1816. She married Lewis Hogans, and they built a log cabin at the ford, probably the first on the present site of the city. Juan Maestre also secured a grant in 1816 and constructed a log cabin at the ford. In 1818 John Brady arrived at Cowford and took over the cabin built by Maestre. He kept a tavern and allowed weary travellers to stop with him for either meals or lodging. A year later two enterprising Georgians, William G. Dawson and Stephen E. Buckles, realizing that Cowford offered an excellent opportunity for expanding trade, built a log house on the site, and brought a supply of goods down from Georgia. The store became popular with the Indians and frontiersmen. Buckles soon grew tired of the wilderness life and returned to Georgia, but Dawson remained in the pioneer settlement and became a prominent figure in Jacksonville.<sup>62</sup>

In 1821 Isaac David Hart came to Cowford from a farm on the St. Marys River. Hart had been attracted to the place by stories of the success of Buckles and Dawson's store and Brady's tavern. He bought eighteen acres of land from Lewis Hogans, and built, near the ford, a double log cabin. He brought with him his family and his brother, Daniel C. Hart. The name of Hart became inextricably connected with the progress of the settlement. People from the United States soon began to arrive at the ford in considerable numbers. The travelers could not find sufficient room at John Brady's tavern, and Buckles and Dawson opened the stock room over their

<sup>62</sup> *Ibid.*, 51-52.



store for sleeping quarters. Seeing the need, Buckles and Dawson constructed a frame rooming house, the first of its kind in that section. The building was completed in 1821, and Mrs. Sarah Watterson served as hostess of the "Inn," as it was called. Mrs. Watterson's four attractive daughters served as waitresses. Joseph Andrews, brother-in-law of Isaac Hart, was another early settler of Cowford.<sup>63</sup>

In 1822 Hart and Brady decided to lay out streets for the rapidly growing settlement. They secured the services of Abram Bellamy I, an accomplished civil engineer of South Carolina, who first surveyed Hart's and Brady's claims, and then laid out the town.<sup>64</sup> One street was named Forsyth in honor of the Georgian who served as United States minister to Spain when the negotiations for Florida were under way. Newnan Street was named for an Indian fighter. Liberty and Washington Streets sounded a patriotic note; Bay Street signified its location on the Bay; and Market Street was the main place of business activity. John Warren, a newcomer to the ford, now suggested that the name of the town be changed to Jacksonville in honor of General Andrew Jackson who had served so nobly in the earlier Indian wars of Florida. The name was changed but the older settlers continued to call it Cowford for years to come.<sup>65</sup>

One contributing factor to the early growth of Jacksonville was the old King's road which led directly from the St. Marys River to Cowford. John Brady established a ferry on the river in 1822 but sold it in 1823 to John L. Doggett, who acquired a franchise to operate the ferry for ten years. Doggett, who was also engaged in the lumber business sold the ferry and its rights to John Price in 1826. Jacksonville, cross-roads of land

<sup>63</sup> *Ibid.*, 53.

<sup>64</sup> Life of Bellamy, 2, Bellamy-Bailey Papers.

<sup>65</sup> T. F. Davis, *History of Jacksonville*, 56.





## FLORIDA DURING THE TERRITORIAL DAYS

and water travel, was bound to outstrip the other East Florida towns. It soon became the most thriving place on the river as well as on the road.<sup>66</sup>

Jacksonville however was no boom town. Its growth was slow but sure. In 1830 it had only about 100 inhabitants, while the total of Duval County numbered 1,970.<sup>67</sup> Duval County was created in 1822 and a county court house was begun at Jacksonville in 1823. The first court convened in December, 1823, under a tree, because the court house was not yet completed. Judge Joseph L. Smith presided. Over 200 people were present for the first session of the Duval County court.<sup>68</sup> The first Jacksonville lawyer was Abram Bellamy II, grandson of Abram Bellamy who surveyed the city and son of John Bellamy one of its first commissioners.<sup>69</sup> Isaac Hart, considered the founder of the city, erected the first hotel in Jacksonville in 1830. Jacksonville's climate attracted many visitors some of whom become permanent residents. In 1832 the Legislative Council granted the city a charter.<sup>70</sup> Jacksonville was the ninth city in the Territory to be incorporated; the others were St. Augustine, Pensacola, Fernandina, Key West, Quincy, Magnolia, Apalachicola and Ochesee. William J. Mills was elected the first mayor of Jacksonville under the new charter.<sup>71</sup>

The panic of 1837, coupled with the freeze in 1835, and the outbreak of Indian hostilities temporarily stopped the development of the new city. It did, however, become a stronghold for refugees during the Seminole War, for massacres

<sup>66</sup> Pleasant Gold, *History of Duval County*, 104. Hereafter cited as *Duval County*.

<sup>67</sup> *Fifth Census*, 1830, 157.

<sup>68</sup> Wanton S. Webb, *Florida, Historical, Industrial, and Bibliographical*, 118. Hereafter cited as *Florida*.

<sup>69</sup> *Life of Bellamy*, 2-3, Bellamy-Bailey Papers.

<sup>70</sup> *Journal of the Proceedings of the Legislative Council*, 10 Session (1832), 28.

<sup>71</sup> T. F. Davis, *History of Early Jacksonville*, 57.





## FRONTIER TOWNS

were common in the vicinity. Mandarin was particularly hard hit by the Indian depredations, and a number of the people removed to Jacksonville, where they resided until the war was over. Blockhouses were built, and sentries were posted about the town both day and night. Trade from the outside was almost stopped by the war. Except for refugees and soldiers the population was almost at a standstill.<sup>72</sup>

After the War prosperity came again to Jacksonville. A weekly steamer from Savannah brought considerable trade and commerce; smaller boats made frequent trips to Enterprise, some distance down the St. Johns. The town had the appearance of a primitive village with rudely constructed houses and board walks, but the merchants did a large amount of business. There were few carriages or vehicles of any kind. Rowboats were popular for river transportation, and pack horses were used for land travel. Jacksonville's population increased with the growth of commerce, but in 1840 there were less than 600 people in the town as compared to 1,616 in Tallahassee and 2,459 in St. Augustine.<sup>73</sup>

A number of other settlements sprang up on the St. Johns with which Jacksonville carried on a limited amount of commerce; most of them, however, grew up as fishing villages or as military posts, and cannot be considered of much economic importance. Mayport, a little settlement near the mouth of the river, was founded about 1830, but pilots and fishermen had lived there for years prior to that time.<sup>74</sup> Up the coast from Jacksonville was Fernandina, located on the north end of Amelia Island. It was established long before the Territorial period, and during Jefferson's presidency (1801-1809) was one of the main seaport towns used in evading the embargo. It sank into insignificance, and during the 1830's, despite the

<sup>72</sup> *Ibid.*, 76-80.

<sup>73</sup> *Sixth Census*, 1840, 97.

<sup>74</sup> Pleasant Gold, *Duval County*, 106.



## FLORIDA DURING THE TERRITORIAL DAYS

fact that it had a fine harbor, scarcely one ship a year visited the forgotten town.<sup>75</sup> Green Cove Springs, down the river about twenty-five miles from Jacksonville, was an early fishing town. The first settlement was made by a band of liveoak wood-cutters in 1830. Since lumbering was a promising industry, several of the wood-cutters built cabins on the banks of the St. Johns and began a permanent settlement. Picolata, on the opposite bank of the river, was a landing place for boats, but never grew large enough to serve as a commercial center.<sup>76</sup>

Palatka was the only other Territorial town of any consequence on the St. Johns. The early history of the town is similar to that of Jacksonville. Both were cow fords. The Indians, who had used the "Wacca Pilatka" as a trading center and meeting place for generations, shortened the name by dropping "Wacca." This took place sometime prior to the acquisition of Florida by the United States. The spelling was also changed from Pilatka to Palatka prior to Florida's entrance into the Union. The first white settlers in Palatka were James Marver and two companions, who came in 1821 and, after buying some Spanish land grants, began to trade with the Indians. They sold the trading post to William and Thomas Brush from New York who, with their uncle, lived in Florida until the outbreak of the Seminole War in 1836. When hostilities began, the Indians in the vicinity of Palatka immediately attacked the white men at the trading post and burned their dwellings. The few whites narrowly escaped death; they fled down the river and never returned.<sup>77</sup> Because of its location on the river, the United States government set up a military post at Palatka soon after the War began. A large hospital, eight block-houses for protection against the Indians, and barracks for soldiers were constructed. A large stable housing about

<sup>75</sup> J. L. Williams, *Territory of Florida*, 124.

<sup>76</sup> W. S. Webb, *Florida*, 181.

<sup>77</sup> *Ibid.*, 95.





400 horses was completed in 1840. On February 19, 1841, the post was enlarged by an order of the President of the United States, and all the land in the vicinity was turned into a military reservation. The reservation remained in the possession of the War Department until April 6, 1880, at which time it was relinquished and again became part of the public domain.<sup>78</sup> However when the Seminole War closed in 1842 Palatka lost its prominence temporarily, and the people then turned to the river and the commercial advantages it offered for their livelihood.<sup>79</sup>

Several settlements west of Palatka grew to be important posts during the Seminole War; among them were Alachua, Micanopy, and Fort King (later Ocala). All three of these communities had been inhabited before the United States acquired Florida. Alachua was a part of the large Spanish land grant of Arredondo and Son, and Horatio S. Dexter and Edward M. Wanton, agents of Arredondo, were among the first white people to settle in the region. By 1823 Micanopy was a thriving place consisting of twenty-five dwellings with ten more under construction.<sup>80</sup> Ocala grew out of an Indian agency established on "the southern frontier of Alachua" about 1825. Ocala, or Camp King as it was first called, was a well planned little town. The word Ocala dates back to the Timucuan tribe of Indians, who inhabited Florida long before the Seminoles came.<sup>81</sup>

From the St. Johns River region southward to the tip of Florida there were no settlements of any significance during the Territorial period. But on the keys, jutting off the southernmost end of Florida, was Key West, one of the most strategically located settlements in the entire Territory. The

<sup>78</sup> *House Reports*, Number 746, 46 Congress, 2 Session, 1.

<sup>79</sup> W. S. Webb, *Florida*, 96.

<sup>80</sup> F. W. Buckholz, *History of Alachua County*, 42.

<sup>81</sup> Eloise Robinson Ott, "Ocala Prior to 1868," *Florida Historical Quarterly*, V (October, 1927), 87.





## FLORIDA DURING THE TERRITORIAL DAYS

name Key West, meaning "bone or grave rock" is a corruption of the original name of *Cayo Huesa*. The place was so named because of the mounds containing human bones that were found on the island. The Indians, a few Spanish, and pirates had for years found a rendezvous at Key West. The island was part of the Spanish Empire in North America, but had no governmental connection with Florida. The Spanish in Cuba kept a watchful eye on the island, as well as other portions of the keys. In 1815 the Governor of Cuba granted the entire island to Juan P. Salas as a reward for distinguished services he had rendered the Spanish government.<sup>82</sup> On January 19, 1822, Salas sold the island to John W. Simonton, of Mobile, for the sum of \$2,000. Simonton, realizing the value of the property especially after the United States had acquired Florida, offered portions of it for sale. John Warner, John Mountain, John Whitehead, J. W. C. Fleming, Pardon C. Greene, and John Geddes were among the first to invest in the Simonton Island project. Some invested money in the island for speculative purposes, others with the intent of building permanent homes. Among the latter group was John Geddes, who went to Key West early in April, 1822, to claim his property in person. He soon brought in other settlers and gradually began to extend his holdings on the island. The other claimants protested but took no action, and the first American settlement on the keys, continued to grow.<sup>83</sup>

At the same time that American settlers drifted into Key West, the United States government took steps to prevent the Spanish in Cuba from reclaiming or reoccupying the keys. On February 7, 1822, Lieutenant M. C. Perry, Commander of the United States Schooner *Shark*, took possession of the island as part of the Territory of Florida, and made a pre-

<sup>82</sup> R. H. Rerick, *Memoirs*, I, 146.

<sup>83</sup> Jefferson B. Browne, *Key West, Old and New*, 7. Hereafter cited as *Key West*.



## FRONTIER TOWNS

liminary survey of the vicinity.<sup>84</sup> This was a formal announcement to the Spanish government that Key West, despite any previous status, was to be a part of the United States. The American flag was raised on March 25, 1822. At the same time Perry changed the name to Thompson Island in honor of Smith Thompson, Secretary of the Navy. Shortly the harbor was renamed Port Rodgers in honor of Commodore John Rodgers, President of the Naval Board. The new names met with the approval of the three proprietors who were present on the island, but before long the old name of Key West was again being used. Other names were suggested for the island; but all were as short lived as the name Thompson Island.<sup>85</sup> "Key West" was there to stay.

One of the first acts by the United States government, after taking possession of Key West, was the establishment of a naval depot and station in the harbor. The harbor's strategic location made it the strongest on the coast of Florida. Captain L. T. Patterson and Lieutenant Tuttle were sent by the Navy Department to survey the coast and harbor,<sup>86</sup> and the work was completed in a short time. Commodore David Porter took command of the naval station in 1823, and reported to the government that the harbor was of great potential use to the American people. Said he:

The arrivals and departures of the American vessels from the port of Havana alone average about thirty a week, and those from Matanzas about twenty. Not a day elapses but that great numbers of American vessels are to be met passing through the Gulf, and since our establishment here, they daily in number pass in sight of us.

Porter thought that the Key West station deserved much improvement and attention by the government.<sup>87</sup> While serving

<sup>84</sup> *American State Papers, Naval Affairs*, 17 Congress, 2 Session, I, 871.

<sup>85</sup> Edwin L. Green, *History of Florida*, 9.

<sup>86</sup> *American State Papers, Naval Affairs*, 17 Congress, 2 Session, I, 871.

<sup>87</sup> J. B. Browne, *Key West*, 70.





## FLORIDA DURING THE TERRITORIAL DAYS

in Key West, Porter attempted to subdue piracy along the south coast of Florida, and in doing so captured a number of Spanish seamen who were operating off the keys.<sup>88</sup> The Spanish government became angered over Porter's actions and carried the matter to the United States government. Porter was recalled to Washington and court martialed in 1825 for infringing on Spanish rights. He was suspended from rank for six months,<sup>89</sup> but later was sent back to Key West to engage the Spanish who were again giving trouble in the Caribbean area.<sup>90</sup>

Key West early became a defense center for the lower area of the United States. In addition to the naval station, the United States erected a marine barracks fronting upon the harbor. The marine base did not flourish, but in 1831 two companies of infantrymen under Major James M. Glassel were stationed on the north beach. Temporary quarters soon gave way to a permanent station.<sup>91</sup> Many people came to Key West in connection with the military stations there. Because of the mild climate others came from the distant north, nearly all of whom were people of means and culture. Among the states which were represented in the early population of Key West were Virginia, South Carolina, New York, and Connecticut.

The wrecking business along the Florida reefs brought considerable money to the new town, as did the fishing business which thrived in the southern waters of the United States. Many substantial fortunes were made in both occupations.<sup>92</sup> The United States early established a customs house in Key West; and a United States District Court at Key West served all South Florida.<sup>93</sup>

Two circumstances led to a stagnation of trade and conse-

<sup>88</sup> *American State Papers, Naval Affairs*, 18 Congress, 2 Session, I, 1106-1116.

<sup>89</sup> *Ibid.*, II, 342-363.

<sup>90</sup> R. H. Rerick, *Memoirs*, I, 146.

<sup>91</sup> J. B. Browne, *Key West*, 77.

<sup>92</sup> *Ibid.*, 13.

<sup>93</sup> *Niles' Weekly Register*, XXX, 186.





quently to the decline of Key West during the 1820's. The first was the strict regulations of Spanish and Cuban vessels trading with the United States. These restrictions cut off much trade that would have been beneficial to Key West. The Spanish also restricted United States commerce, particularly with Cuba.<sup>94</sup> The second was a fever common to the hot climate, contracted some believed from the water. The *National Intelligencer* stated that the poisonous roots of the mangel tree might have been the cause of the disease. It was most common among the laborers who worked at clearing away the brush and making the island ready for the incoming settlers.<sup>95</sup> At certain seasons nearly every person was sick with the fever, and some few died. Several doctors came down from the North to study the disease, but for several decades little headway was made in its prevention and cure. The season of 1829 was especially serious, for the fever was more fatal that year than any previous one. Many people left the island and others were deterred from going there.<sup>96</sup>

Key West was incorporated in 1828. The government was vested in seven councilmen, one of whom was to be mayor of the city. In 1829 William A. Whitehead surveyed and mapped the city; and the first through street was named in his honor. Other streets were named for persons prominent in public life, among whom were Eaton, White, Duval, Southard. The streets were laid out in a veritable forest, for the trees and brush were not cleared away from the settlement until 1837. Sailors stationed on the keys in co-operation with other inhabitants did most of the work. After the intensity of the fever waned, people from far away again began to come to Key West. Throughout the Territorial period, the growth of the town was closely associated with naval life.<sup>97</sup>

Three newspapers were established in Key West before

<sup>94</sup> *National Intelligencer*, July 20, 1825.

<sup>95</sup> *Ibid.*, July 23, 1825.

<sup>96</sup> *Ibid.*, December 4, 1829.

<sup>97</sup> J. B. Browne, *Key West*, 11.



## FLORIDA DURING THE TERRITORIAL DAYS

1845; they were the *Register*, the *Key West Gazette*, and the *Enquirer*, all of which were well edited and reflected credit on the town. A. W. Whitehead, who served in the capacity of town surveyor, collector of customs, and mayor, was for a number of years the leading citizen of Key West. But his political enemies finally drove him away from the town to which he had devoted a lifetime of hard work.<sup>98</sup>

Key West suffered from the Seminole War, as did other Florida towns. About 3,000 hostile Indians operated in South Florida for several years; and knowledge of this fact kept the inhabitants always on the alert. People from the other keys came to Key West for protection. Arms and ammunition were secured from Havana, and land and water patrols were formed to combat the enemy. After the war was over, Key West resumed her progress and prosperity. The *Florida Sentinel*, published in Tallahassee, said in 1843:

Key West is in reality becoming a place of much business and importance. Thirty vessels are owned and employ some four hundred men. Trade between the Bahamas and Key West is considerable during the year. Daily communication goes to Havana. Both being foreign ports produce considerable revenue. . . . The government is erecting barracks for troops and some two hundred and ninety hands are employed. . . . Some one hundred thousand pounds of green turtle are brought from the bay and reefs, one-half of which is exported and the other half consumed. Many fish are caught and sent to Havana, for which they receive spice, fruit, vegetables and fowls. . . . Key West has fine wharves, warehouses, homes, a church and a chapel. . . .<sup>99</sup>

It might be said that urban growth in East Florida from Key West to Jacksonville was greatly retarded by the Seminole War. Had the War not lasted so long, there is reason to believe that Florida towns would have been much larger when

<sup>98</sup> *Ibid.*, 141.

<sup>99</sup> *Florida Sentinel*, August 29, 1843.



## FRONTIER TOWNS

the Territory became a state in 1845. Most of the important settlements in the Territory were located either on the St. Johns River or the Atlantic or Gulf Coasts. The towns served as commercial centers and transportation from one to the other by any other means except water was extremely difficult.





## *Chapter IX:* BEGINNINGS OF PROTESTANT RELIGION AND EDUCATION

THE CHRISTIAN RELIGION IN FLORIDA IS AS OLD AS THE COLONY itself. In fact the Spanish government sent a Catholic priest to Florida along with the first party of explorers and settlers. He was to minister to the spiritual needs of the Spanish and to serve as a missionary among the Indians. Other Jesuit priests followed and the Roman Catholic Church grew rapidly in members. Counting both whites and Indians there were no less than 30,000 communicants of the church in Florida in 1674. St. Augustine was the first parish organized. It and later parishes were placed under the jurisdiction of the Bishop of Santiago de Cuba. The growth of the Catholic Church was, however, abruptly ended in 1763 when Florida was ceded to England. Some of the more prominent Spanish left the colony, including the priests, but many fishermen, laborers, and others remained as a nucleus of Catholicism.<sup>1</sup>

The English organized and established the Anglican Church in Florida, but the Catholic Church lived on. In fact the coming of 1,500 Minorcans to New Smyrna in 1768 under Andrew Turnbull greatly increased the Catholic influences. They were treated so badly by Turnbull, however, that in 1777, 600 of them migrated to St. Augustine to seek redress from the British authorities.<sup>2</sup> They remained at St. Augustine, a

<sup>1</sup> U. G. Clavreul, *Notes on the Catholic Church in Florida*, 1-5. Cited hereafter as *Catholic Church in Florida*.

<sup>2</sup> *Ibid.*, 5.



## BEGINNINGS OF PROTESTANT RELIGION

subdued group, until Florida was transferred back to Spain in 1783.

With the restoration of Spanish control, Catholicism took on new life in Florida. The Catholics repaired old churches, built new ones, and greatly increased their membership. They found the old Catholic Church at St. Augustine, which the English had used as a guard house, so dilapidated and in need of repairs that it could no longer be used for religious worship. They converted the Bishop's house into a temporary church edifice but began at once to erect a new building. The King and Queen of Spain contributed generously to the project, and the people of Florida gave according to their means. Two architects were secured from Spain to supervise the work. The Cathedral of St. Augustine was finally completed and dedicated on December 8, 1796.<sup>3</sup> A new chapter in the Catholic history of Florida had begun.

The new Catholic era did not last long, however, for in 1821 Florida became a Territory of the United States and Protestantism soon replaced Catholicism as the dominant religion. Some of the Catholic Church property was taken over by the United States government; the Catholics feared that the government might confiscate even the church buildings. Many Catholic families left Florida, going either to Cuba or back to Spain. Some of the Minorcan refugees settled as farmers in the region around St. Augustine, while others found their way into newly settled towns—Jacksonville, Tallahassee, Fernandina, and Key West.<sup>4</sup>

For many years after 1821 there was no resident priest in Florida. Occasionally, however, a visiting priest from the neighboring diocese of Charleston or Mobile came to minister to the people. These visiting priests received no pay except

<sup>3</sup> John Gelmary Shea, *History of the Catholic Church in the United States*, 650. Cited hereafter as *Catholic Church*.

<sup>4</sup> U. G. Clavreul, *Catholic Church in Florida*, 6.



## FLORIDA DURING THE TERRITORIAL DAYS

the small rentals from lots and houses owned by the church which had not been confiscated by the government. But these rentals were paid irregularly, and were insufficient for the support of the regular clerics. An attempt was made in 1822 to confiscate the Cathedral of St. Augustine, of which the Catholics were so proud; but on February 8, 1827, Congress guaranteed to the Catholic society of that place the grounds and the buildings which were rightfully theirs.<sup>5</sup>

In 1824 Father Maenhaut served temporarily the Catholic Church in Pensacola. His services were well attended, and his sermons were popular with the communicants of the Protestants as well as the Catholic Church.<sup>6</sup> In 1828 Bishop England of Charleston sent Edward Mayne to St. Augustine as parish priest. This led to a controversy in 1830 over the right of the Bishop to make appointments for the Florida church. The argument finally resulted in a schism in the church, but Mayne remained in St. Augustine until 1832 when he returned to Charleston. Bishop Porter, also of the Charleston diocese, went to St. Augustine and tried to allay the hard feelings that had arisen among the Catholics, but was unsuccessful in his attempt.<sup>7</sup>

From 1837 to 1842 Father Claude Rampon was stationed at St. Augustine. He did not confine his labors to that place alone, but extended his work to any locality where he found Catholic communicants. He was especially interested in the St. Johns River section.<sup>8</sup> During the 1830's Pensacola was visited at regular intervals by the Bishop of Mobile. A new church edifice was completed in that town in 1833, and a Catholic school for boys was conducted in the building for a number of years.<sup>9</sup> New Catholic parishes were also established. In the

<sup>5</sup> W. W. Dewhurst, *St. Augustine*, 149.

<sup>6</sup> *Pensacola Gazette*, March 27, 1824.

<sup>7</sup> J. G. Shea, *Catholic Church*, 698.

<sup>8</sup> U. G. Clavreul, *Catholic Church in Florida*, 15.

<sup>9</sup> J. G. Shea, *Catholic Church*, 699.





## BEGINNINGS OF PROTESTANT RELIGION

1840's priests went twice each year as far south as Key West to administer the sacraments. They were sent from the diocese in Savannah as no bishopric was organized in Florida during the Territorial period. Occasionally a priest from Havana came to help with the work in Florida, especially at Key West. No church building was erected in Key West but services were conducted in a vacant store building.<sup>10</sup>

Of the Protestant denominations, the Episcopal was the oldest in Florida. During the English occupation, 1763-1783, the Anglicans had become well established, especially in St. Augustine where they built St. Peter's Church. During the Spanish restoration in 1783-1821, many British left the Territory, and the Church of England declined in influence. St. Peter's fell into decay, and the very name was almost forgotten.<sup>11</sup>

Soon after Florida became a Territory of the United States the American citizens in St. Augustine met for the purpose of organizing a congregation and securing the services of a Protestant minister. They decided to apply for an Episcopal minister since a majority of the group belonged to that sect. They did so and the Young Men's Missionary Society in 1821 sent the Reverend Andrew Fowler of Charleston, South Carolina. He served in St. Augustine until 1823 and succeeded in building up a strong local church. In May, 1823, the Board of Directors of the Domestic and Foreign Missionary Society of the Protestant Episcopal Church in the United States resolved, "that St. Augustine and Pensacola in the Floridas, be considered missionary stations, with an appropriation of \$400 for the support of missionaries there."<sup>12</sup>

The parish organized by Fowler in 1821 was without a

<sup>10</sup> J. B. Browne, *Key West*, 34.

<sup>11</sup> Edgar Legare Pennington, "The Episcopal Church in Florida, 1763-1892," *Historical Magazine of the Protestant Episcopal Church*, VII (March, 1938), 17.

<sup>12</sup> *Ibid.*, 20.



regular church edifice for several years. In 1825 Reverend Edward Phillips, the regular minister, laid the cornerstone for a building. The church was organized, wardens and vestrymen were elected, and the name Trinity was adopted. In 1829 Reverend Raymond Henderson was sent to St. Augustine as a missionary for the purpose of finishing the church building. He was a man of great energy and ability, and in 1833 completed the task. From Episcopalian congregations in New York Henderson raised \$1,200 of the \$1,500 required to complete the church.<sup>13</sup> The consecration service was held in 1833, and the plain coquina structure soon became one of the most prominent buildings in the town.<sup>14</sup>

Probably no other Episcopal clergyman did so much for his church in Territorial Florida as Raymond Henderson. He built up the membership of his church to 160, the largest Protestant group in the Territory. Henderson was also interested in the well-being of the Catholics, particularly the Minorcan group. The minister said that these Minorcans "might be reclaimed from the ignorance from which they are now surrounded and gathered in our church if we had a suitable building for worship."<sup>15</sup> Practically all of the Protestants in St. Augustine came under Henderson's influence. He left the work so well established that, except for a few years during the Seminole War, the church prospered spiritually and materially.

Reverend Ralph Williston, who conducted services in Pensacola in 1827, was the first Episcopal rector in that town but it was not until 1829 that Pensacola had a regular minister. In 1829 the *Pensacola Gazette* announced that "Rev. Mr. Searle, late pastor of St. Paul's Church at Buffalo, New York, arrived in this city on February 3rd, and we understand intends to make this his permanent residence if the Episcopal

<sup>13</sup> Thomas Douglas, *Autobiography*, 91-93.

<sup>14</sup> W. W. Dewhurst, *St. Augustine*, 149.

<sup>15</sup> E. L. Pennington, "The Episcopal Church in Florida," *loc. cit.*, VII (March, 1938), 25.





group here so desires." <sup>16</sup> Searle, who was sent to Pensacola by the Domestic and Foreign Society of the Protestant Episcopal Church in the United States, was cordially received. He had done excellent ministerial work in Buffalo, but had to leave that place because of the severe winters; hence he asked to be sent to Florida in hopes that the mild climate would be more agreeable to him.<sup>17</sup>

At the time Searle arrived, Pensacola was a town of about 2,000 people, over half of whom were Catholic. The Protestants were few in number. The Episcopalians numbered twelve, Methodists ten, Presbyterians two, and Baptists two; and none of the Protestant groups had a regular minister. The people were "said to be fast verging towards infidelity." Searle remained in Pensacola only a few months, but he accomplished much while there, for the Episcopalians under his leadership established Christ's Church.<sup>18</sup> After Searle's departure Christ's Church asked for another missionary rector, and P. H. Hutchins was sent to serve Pensacola. He remained until 1830. Other rectors who served Christ's Church during the Territorial period were Ashbel Steele, J. H. Saunders, and Fred F. Peake.<sup>19</sup>

The Episcopal Church was also the pioneer Protestant religious organization in Key West. Samson K. Brunot of Pittsburgh was the first Protestant clergyman to hold services in Key West. A youth of only twenty-four years, Brunot had been in the ministry only a short time. Advised by his physician to leave Pittsburgh and seek a more moderate climate, he took up his residence in Key West, and held services first there on Christmas Day, 1832. St. Paul's Church was organized on February 4, 1833. Other ministers to follow Brunot were Alva Bennett, Robert Dyce, A. E. Ford and J. H. Hanson. A church

<sup>16</sup> *Pensacola Gazette*, February 17, 1829.

<sup>17</sup> *Ibid.*, October 21, 1828.

<sup>18</sup> E. L. Pennington, "The Episcopal Church in Florida," *loc. cit.*, VII (March, 1938), 23.

<sup>19</sup> Julia J. Yonge, *Christ Church Parish, Pensacola, Florida*, 1.





## FLORIDA DURING THE TERRITORIAL DAYS

building was begun by Dyce and completed by Hanson in 1845.<sup>20</sup>

In addition to Trinity Church at St. Augustine, Christ Church at Pensacola, and St. Paul's Church at Key West the Episcopalians organized four other parishes in Florida during the 1830's. They were Christ's Church in Apalachicola, St. John's in Jacksonville, St. John's in Tallahassee, and St. Joseph's in St. Joseph. These seven parishes held a convention at St. John's Church in Tallahassee on January 17, 1838, for the purpose of organizing the Diocese of Florida. The clergymen present were David Brown of Jacksonville, Robert Dyce of Key West, Raymond Henderson of St. Augustine, Charles Jones of Apalachicola, Joseph H. Saunders of Pensacola, and J. Loring Woart of Tallahassee. Twenty lay delegates also attended from the various parishes. The convention drew up a petition to the General Convention of the Protestant Episcopal Church in the United States asking for union with that body. A general convention was held on September 7, 1838, and it admitted the Florida Diocese into the union. The organization of the Diocese of Florida and its admission into the General Convention of the Protestant Episcopal Church greatly strengthened the parishes already organized and encouraged the formation of others.<sup>21</sup> St. Luke's Parish at Marianna and St. Paul's at Quincy were admitted to the Diocese of Florida in 1838. The second annual convention of the diocese met in Tallahassee on January 16, 1839; it reported much progress in the work throughout the Territory.<sup>22</sup>

But all was not well with the Florida Diocese. Several parishes were without rectors and the Seminole War played

<sup>20</sup> J. B. Browne, *Key West*, 24-26.

<sup>21</sup> *Journal of the Primary Convention of the Protestant Episcopal Church in Florida* (January, 1838), 1-19.

<sup>22</sup> *Journal of the Second Annual Convention of the Protestant Episcopal Church in the Diocese of Florida, Held in St. John's Church, Tallahassee* (January, 1839), 7-18.



## BEGINNINGS OF PROTESTANT RELIGION

havoc with the advancement of religious organizations. David Brown, missionary to Jacksonville, wrote the Board of Missions in 1840 that "the Church in Florida as well as the country seems doomed to disaster and destruction."<sup>23</sup> By 1844, however, the darkest days for the Episcopal Church were over. When the annual convention met that year in Tallahassee, only two parishes, Monticello and Marianna, were without rectors. The churches at Quincy and Tallahassee were in much better condition than they had been in for many years, and the general outlook for the entire diocese was very promising.<sup>24</sup> Throughout the entire Territorial period the Episcopal Church was the strongest and most influential Protestant denomination in Florida.

In any description of the early religious development of Florida, the Methodist Episcopal Church must be given much consideration, for it played a prominent role in carrying the gospel to the Indian and in ministering to the spiritual needs of the white man. Methodism was itself a pioneer religion and fitted perfectly into the wilderness scene. Its organization, its doctrine of individual salvation, its emotionalism, and its evangelical philosophy made a strong appeal to the masses. And it was one of the rapidly growing Protestant Churches of the first half of the nineteenth century. The Methodist circuit rider, who went from place to place preaching wherever he could get a congregation, best reflects the true earnestness and zeal of that sect. Like the Episcopal Church, the Methodist Church began its first operations in Florida at Pensacola and St. Augustine. Hardly had the American flag replaced the Spanish flag in St. Augustine before Methodist ministers appeared in Florida and began to preach their doctrines. An indignant

<sup>23</sup> E. L. Pennington, "The Episcopal Church in Florida, 1763-1892," *loc. cit.*, VII (March, 1838), 34.

<sup>24</sup> *Journal of the Proceedings of the Sixth Annual Convention of the Protestant Episcopal Church in the Diocese of Florida, Held in St. John's Church, Tallahassee* (January, 1844), 3-16.





## FLORIDA DURING THE TERRITORIAL DAYS

Catholic priest threatened one of them with violence if he continued but the Methodist clergyman had only to point to the American flag, and the Catholic father retired in disgust.<sup>25</sup>

At first the Florida Methodist circuit riders were supplied by some of the neighboring conferences; in fact, there was no Florida conference organized for several years after the United States acquired the Territory. The Mississippi conference, meeting in December, 1821, established the Pensacola mission and appointed the Reverend Alexander Tally as missionary to Pensacola. This was the beginning of organized Methodism in Florida. Tally had no small assignment, for his circuit included Pensacola, Mobile, Blakely, and all the adjacent county. Henry P. Cook followed Tally on the circuit and after Cook's death in 1825 Charles Hardy served the "Pensacola and Mobile Mission." Cook received only \$72.31 for his last year of services in Pensacola.<sup>26</sup>

The South Carolina conference, including North Carolina, South Carolina, and Georgia, met at Savannah, Georgia, in 1823 and sent J. N. Glenn as the first Methodist minister to St. Augustine. Glenn found only one Methodist in all of St. Augustine, but within a year's time ten members had been added to the church. A small building was erected and the St. Augustine mission became a part of the Oconee District, over which Allen Turner served as presiding elder.<sup>27</sup> Reverend John L. Jerry was sent to the St. Augustine mission in 1824. His circuit included St. Augustine, Jacksonville, Fernandina, Newnansville, and Micanopy. Jerry was one of the most fearless men ever to work in Florida. He traveled his circuit throughout the Seminole War, and was never harmed, although massacres took place all about him. When asked the

<sup>25</sup> D. Y. Thomas, *Military Government in Territory*, 91.

<sup>26</sup> Frank W. Haskins, *The History of Methodism in Pensacola, Florida*, 11-19.

<sup>27</sup> George G. Smith, *History of Methodism in Georgia and Florida*, 226. Cited hereafter as *Methodism in Florida*.





## BEGINNINGS OF PROTESTANT RELIGION

explanation for his remarkable safety, Jerry replied: "The people say the reason I was not troubled was because the Indians knew me, but I say God protected me."<sup>28</sup> He gave many years of his life to the work of the St. Augustine mission but was ultimately transferred to the Tallahassee district.<sup>29</sup>

The Tallahassee district was created by the South Carolina conference at its annual meeting in Charleston, February, 1824. Josiah Evans was appointed Presiding Elder. A church was built at Tallahassee in 1825. As the seat of government, Tallahassee was an important city and a fertile field for the churches. The preachers did not have to be gifted or polished in this frontier life; they were more successful if rough, brave and willing to work. Sometimes a circuit rider's schedule called for thirty sermons in thirty days; and the preacher had to ride many miles from one appointment to another. Often he had a humble cabin for shelter, and the plainest people in the world for hearers, many of whom walked eight and ten miles to services.<sup>30</sup> Among the most notable early Methodist circuit riders of Florida were Tally, Cook, Jerry, John Slade, Isaac Boring, Charles Hardy, John Triggs, and Adam Wyreck.

The Methodist Church spread throughout Florida, even to Key West; and several new missions and districts were created. Enthusiasm ran high, and camp meetings were the order of the day. People came for miles to these meetings. The camp ground was usually in a cleared place beneath the trees or under an improvised arbor of brush and limbs of trees. The congregation stayed for days, camping in tents nearby. Such meetings brought together a variety of ministers, some learned but others very ignorant. The preachers enjoyed the camp meetings as much as the hearers; it was a social gathering, and afforded them an opportunity to make new acquaintances.<sup>31</sup>

<sup>28</sup> John C. Ley, *Fifty-Two Years in Florida*, 27.

<sup>29</sup> *Ibid.*, 28.

<sup>30</sup> G. G. Smith, *Methodism in Florida*, 225-227.

<sup>31</sup> E. C. Long, *Florida Breezes*, 143.



## FLORIDA DURING THE TERRITORIAL DAYS

Reverend Peter Haskew recorded in his diary on October 23, 1839, "The Mariana Camp Meeting is over. We had some fine preaching, especially a bro. Smith from the Georgia Conference. We had nine preachers— Very few obtained religion, and very few joined—." <sup>32</sup> One of the largest groups ever gathered together at a Methodist camp meeting in Florida assembled at Mickasukie in May, 1843. It was estimated that a crowd of 2,000 attended the Sunday service. <sup>33</sup> Protracted or revival meetings were also held frequently by the Methodists. The meetings ran as long as interest was keen, ranging anywhere from two to six weeks. The *Star of Florida*, published in Tallahassee, asserted that a protracted meeting in Tallahassee in which over a hundred people joined the church had great effects upon the society and morals of the town. <sup>34</sup>

The Florida Methodist churches were transferred from the South Carolina conference to the newly organized Georgia conference in January, 1830. Methodism had grown to such an extent in Georgia and Florida that the reorganization was necessary. Furthermore the territory of the South Carolina conference was too large and the preachers too numerous for a single organization. <sup>35</sup> In 1833 West Florida was attached to the Alabama conference, and ten ministers were transferred into that conference from the Georgia conference. <sup>36</sup> In 1834 Florida was divided into two districts, the Tallahassee and the St. Augustine, exclusive of any territory in Georgia. <sup>37</sup> Finally a Florida conference was organized in 1845. On February 6 of that year the first session of the Florida conference convened in Tallahassee. It embraced all of Middle and East Florida, and that part of Georgia lying south of Fort Gaines, Al-

<sup>32</sup> Peter Haskew, Diary, October 23, 1839.

<sup>33</sup> *Star of Florida*, May 25, 1843.

<sup>34</sup> *Ibid.*, June 23, 1842.

<sup>35</sup> G. G. Smith, *Methodism in Florida*, 259.

<sup>36</sup> *Ibid.*, 291.

<sup>37</sup> *Ibid.*, 303.





## BEGINNINGS OF PROTESTANT RELIGION

bany, and the Altamaha River, and stretched from Key West to Albany, and from the Atlantic to the Apalachicola River. The new conference had twelve presiding elders and thirty-one ministers. All of the ministers were circuit riders and covered many miles to make their appointments.<sup>38</sup> The Florida conference quite naturally joined with the other conferences in the southern states to form the Methodist Episcopal Church, South, when the mother church split over the question of slavery in 1844-1845.

The Methodists erected few church buildings in Florida before 1840. Homes, barns, stables, brush arbors, blockhouses, and court rooms were often used by the wandering Methodist circuit rider as a place of worship. An account of conditions near Tallahassee said the "place of worship is the arena of many purposes; sometimes a court room in trials and pleadings; again of political discussion; at night a dancing hall. . . ." <sup>39</sup> Until 1840, the Methodists held their services in Jacksonville in a blockhouse which had been built for protection against the Indians.<sup>40</sup> It was 1844 before a building was constructed in Apalachicola for use by the Methodists.<sup>41</sup> Lack of church buildings, however, did not seem to hamper the work of the Methodist preachers in Florida. They gave little attention to such matters, but they and their doctrine conquered the wilderness of Florida. The Methodists of St. Augustine and Tallahassee had built permanent churches very early, and Pensacola built one in 1830.<sup>42</sup>

Presbyterianism, though not as widespread, was just as intensively administered in Territorial Florida as was Methodism. The main branch of the Presbyterian church in Florida may be traced from North Carolina, for it was from that state that

<sup>38</sup> J. C. Ley, *Fifty-Two Years in Florida*, 60.

<sup>39</sup> E. C. Long, *Florida Breezes*, 70.

<sup>40</sup> P. D. Gold, *Duval County*, 117.

<sup>41</sup> *Commercial Advertiser*, April 27, 1844.

<sup>42</sup> E. C. Long, *Florida Breezes*, 69.





## FLORIDA DURING THE TERRITORIAL DAYS

a group of Scotch travellers came to West Florida in 1820 and made friends with Sam Story, chief of the Fuchee Indians around Pensacola. The acquaintance grew into friendship, and Story gave them his permission to settle on any lands in that section which they chose. Other Scotch families came, all of whom were Presbyterians.<sup>43</sup> They built a log cabin church in 1828, and this simple structure served as a stronghold of Presbyterianism in Florida until 1847 when a larger building was constructed.

One authority has said that it would be hard to find a Presbyterian church in west Florida whose membership at some time has not been enriched by members from the old valley (Euchee) church. . . . The organization for many years was entirely dependent upon visiting ministers for the bread of life and upon short term supplies. The first minister to serve the church long was Reverend Samuel Robinson, who was there for about ten years.<sup>44</sup>

The center of Presbyterianism in East Florida was St. Augustine, where a Presbyterian society was organized under the guidance of Eleazer Lathrop. At the insistence of Lathrop, the synods of South Carolina and Georgia sent William McWhir to the Territory as the first Presbyterian minister. He organized a church with thirteen members on June 10, 1824, but because of financial difficulties a building was not erected until 1830. McWhir's work was not easy and continued to be uninviting for many years. Had it not been for the American Home Missionary Society support, the church probably would have died. Reverend E. H. Snowden, while in St. Augustine in 1831, wrote to the society as follows: "I hope you will send on missionaries to Florida; but I would advise

<sup>43</sup> William E. Mellwain, *The Early Planting of Presbyterianism in West Florida*, 7.

<sup>44</sup> G. T. Bourne, "Historical Sketch of the Euchee Valley Church," *The Centennial of the Euchee Valley Presbyterian Church*, 3-7.



## BEGINNINGS OF PROTESTANT RELIGION

none to come who cannot endure hardness as good soldiers of Jesus Christ.”<sup>45</sup>

Several other Presbyterian congregations were organized before 1845. There was a congregation of fifty-seven members in Tallahassee in 1837. This group became one of the most active within a few years. A small Presbyterian society was organized at Mandarin in the 1830's,<sup>46</sup> and a Jacksonville Presbyterian Church was chartered by the Legislative Council on March 2, 1840.<sup>47</sup>

The Baptist Church also furnished Territorial Florida with many pioneer preachers, and became one of the strong Protestant churches in Florida. Wilson Connor, who went to St. Augustine with the United States Army in 1812, is considered the first Baptist preacher on Florida soil. Baptist frontiersmen crossed over from Georgia and settled in North Florida shortly after the United States acquired the peninsula. Jeremiah Kembril and E. H. Callaway organized the first Baptist Church in West Florida at Bethlehem on March 12, 1825. Deacons were appointed and several members were accepted by letter.<sup>48</sup>

Newly settled communities in Middle Florida became the stronghold of the Baptist Church in the Territory. The second Baptist Church in Florida was organized at Newnansville in 1828. Other Territorial churches were Bellville, New Hope, New Prospect, Fayetteville, Hatch Bend, Midway, Sand Hill, Macedonia, Rose Mary, and Fort Clark. They were usually of small membership, numbering from fifteen to fifty persons. St. Augustine and Pensacola did not attract the Baptist preachers at first and many years elapsed before churches were estab-

<sup>45</sup> Erskine H. Reynolds, "Historical Sketch of Memorial Presbyterian Church, St. Augustine," *Centennial of the Presbyterian Church of St. Augustine*, 14-16.

<sup>46</sup> *Ibid.*, 16-17.

<sup>47</sup> P. D. Gold, *Duval County*, 117.

<sup>48</sup> Samuel B. Rogers, *A Brief History of Florida Baptists*, 4-6. Hereafter cited as *Florida Baptists*.



## FLORIDA DURING THE TERRITORIAL DAYS

lished in those towns. Reverend John Tucker, of Newnansville, reported to the Baptist Home Mission Society in 1843 that he had found eighty-one scattered Baptists during that year, organized them into churches, preached at 180 different places and baptized twenty-nine converts.<sup>49</sup> His work was typical of that performed by many pioneer Baptist preachers.

The first Baptist Association of Florida was organized in 1841. It extended from the Georgia line to Key West, and from the Atlantic to the Chattahoochee River. It included the churches in Alachua, Columbia, Marion, Hernando, Hillsborough, Leon, Hamilton, Jefferson, Madison, Gadsden, Nassau, and Duval counties. The West Florida Association, extending from the Chattahoochee River to Escambia Bay, was organized in 1845 and was composed of Jackson, Franklin, Washington, Holmes, and Walton counties, and a few counties in Alabama. The Florida Association became a part of the Southern Baptist Convention in 1844 when the Baptist churches in America split over the slavery controversy. A separate Florida Baptist Convention was organized in 1854.<sup>50</sup>

In 1845, the Baptist Association east of the Chattahoochee River contained forty-six churches, twelve ministers, and 1,630 members. In the same year there were eight churches, four ministers and 301 members in the West Florida Association.<sup>51</sup> The scope of the work carried on by the Baptists in Florida was typical of that done by other Protestant denominations in the Territory.

An important phase of the work of the Protestant churches was the organization of Sunday schools, temperance societies, and prayer meetings. Before any Protestant minister had arrived in Pensacola, regular prayer services were held each Sunday in a private home. Rachel, wife of Andrew Jack-

<sup>49</sup> S. B. Rogers, *Florida Baptists*, 8.

<sup>50</sup> *Ibid.*, 9.

<sup>51</sup> *Ibid.*, 10.





## BEGINNINGS OF PROTESTANT RELIGION

son and an extremely religious woman, was a pioneer in this movement. By 1822 regular classes in Sunday school were being held for children in private homes.<sup>52</sup> As the churches became better established they sponsored additional Sunday schools and prayer meetings. The churches also sponsored temperance societies that gained much popularity in the 1840's. Many citizens of Apalachicola and Tallahassee signed the total abstinence pledge. The Apalachicola *Commercial Advertiser* said: "We are truly rejoiced to see that the cause of temperance is still rapidly and steadily gaining ground in our community. The society now numbers among its members some of the most worthy and influential men."<sup>53</sup>

By 1845 the Protestant denominations were much more predominant than the Catholic Church in Florida, and the attainment of this success by the Protestant ministers was within itself comparable to overcoming the hardships of frontier life. Catholicism probably would have remained the chief religion in the one time Spanish territory had it not been for these Protestant ministers. To them goes much credit for the religious heritage of the state today.

The religious forces at work in the Territory of Florida were typically American, for it was the same current of emotionalism that swept the West and Southwest. Whole communities were shaken by rampant Methodist or Baptist revivals, all of which conformed to the restless spirit of Jacksonian Democracy. The rapid growth of the Protestant churches in all sections of the United States, except the industrial centers, was amazing.<sup>54</sup> With the rise of immigration the Catholic body grew stronger, too, but it could not equal the development of Protestantism which accompanied the growth of American democracy.

<sup>52</sup> *Pensacola Floridian*, July 20, 1822.

<sup>53</sup> *Commercial Advertiser*, October 7, 1844.

<sup>54</sup> Charles A. and Mary R. Beard, *The Rise of American Civilization*, I, 735-736.



## FLORIDA DURING THE TERRITORIAL DAYS

There was considerable interest in the problem of education in Territorial Florida, and efforts were made to establish both secondary schools and institutions of higher learning, most of which, however, were unsuccessful. Private citizens, organized communities, and churches did establish nearly a score of academies. There were also a few public schools supported by local governmental organizations. Congress, too, was interested and encouraged the building of schools and the establishment of a college but did not succeed in this effort. In fact, the Florida frontiersmen were so busy organizing a government, establishing their economic and social security, and fighting the hostile Indians that they had little time left to devote to educational pursuits. Consequently the efforts to establish schools and foster education were crowned with meagre success in the Territorial period. It was not until Florida had attained statehood and made considerable economic progress that a system of public education supported by taxation was established. This took place just prior to the Civil War.<sup>55</sup>

Congress, favorably disposed toward education in all the states and territories, passed a law on May 6, 1822, reserving every sixteenth section in each township of public land for use of schools within the various territories.<sup>56</sup> This act was ineffective in Florida for years to come since the lands were not yet surveyed, but it was not without influence because Florida eventually reaped the benefits from its passage. Land was about the most plentiful thing in Florida, and since the Congress could dispose of the public domain at will, another act was passed on March 3, 1823, dealing specifically with the use of Florida lands for educational purposes. The act provided "that an entire township in each of the districts of East and West Florida shall be reserved from sale for the use of a seminary

<sup>55</sup> James B. Whitfield, "Florida's First Constitution," *Florida Historical Quarterly*, XVI (October, 1938), 74.

<sup>56</sup> *Statutes at Large*, 17 Congress, 1 Session, 680.





## BEGINNINGS OF PROTESTANT RELIGION

of learning, to be located by the Secretary of the Treasury.”<sup>57</sup> This was the beginning of a movement that resulted in the establishment of two schools of higher learning in Florida just prior to the Civil War. One was located in Tallahassee and the other in Ocala.<sup>58</sup>

The Territorial government made no early attempt to establish any sort of school or to use the lands provided for educational purposes by Congress. In fact, the Territorial government wanted the Federal government to take the initiative, but the Congress placed the responsibility in the hands of the Floridians by declaring on January 29, 1827, that

the governor and legislative council of said territory shall have power to take possession of the lands granted for the use of schools and for a seminary of learning, and to lease the same from year to year; and the money arising from the rent of said lands shall be appropriated to the use of schools, and the erection of a seminary of learning, in such manner as they may direct; and they shall have power to pass laws for the preservation of said lands from intrusion and trespass until Florida shall be admitted into the Union as a state.<sup>59</sup>

The Legislative Council had no funds for establishing schools, but it made an effort to get the educational movement under way in the Territory in 1832 by providing that the people in each township elect three suitable persons who should constitute a board of trustees.<sup>60</sup> The Council hoped that such an act would stimulate further interest within the various townships for the establishment of some sort of institution of learning.<sup>61</sup>

The inhabitants of St. Augustine felt the need of a free

<sup>57</sup> *Annals of Congress*, 17 Congress, 2 Session, 1380.

<sup>58</sup> George G. Bush, *History of Education in Florida*, 30. Hereafter cited as *Education in Florida*.

<sup>59</sup> *Statutes at Large*, 19 Congress, 2 Session, 201-202.

<sup>60</sup> L. A. Thompson, *Digest of Laws*, 113.

<sup>61</sup> Thomas Everette Cochran, *History of Public School Education in Florida*, 6. Hereafter cited as *Public Education in Florida*.





## FLORIDA DURING THE TERRITORIAL DAYS

school for their children and petitioned the Legislative Council for the right to raise funds for such an undertaking. On February 12, 1834, the Council passed a law authorizing the city to establish and maintain a free school. The act made it lawful to secure the funds for the school by lottery or any other such scheme that might be appropriate. The sum to be raised was not to exceed \$10,000.<sup>62</sup> The school was successfully established and was the first free school in Florida. It could not be called a public school in the modern sense of the term, but it was established through common efforts of the people of St. Augustine. The school did not remain in existence long; funds raised by lottery were not sufficient for such an institution.<sup>63</sup>

Very few of the educational acts passed during the Territorial period had any lasting results, but a law enacted on March 15, 1843, gave promise of more effective legislation to come. This law intrusted the duties of the school trustees to the county sheriffs. The sheriffs were instructed to administer to the educational needs of the people of their respective counties as best they could and to give special care to the education of the poor children in the community. They were to secure funds for educational purposes by renting the lands granted by the government to each township.<sup>64</sup> Very few schools were established as a result of this Legislative Act, and those that were put into operation had a very limited range of influence, but steps in the right direction were being taken. A system of education was in the making.<sup>65</sup>

While the Legislative Council endeavored to promote a system of education for each county in Florida, Congress be-

<sup>62</sup> *Pensacola Gazette*, April 12, 1834; also found in *Journals of the Proceedings of the Legislative Council of Florida*, 12 Session (1834), 36.

<sup>63</sup> Boyce F. Ezell, *Development of Secondary Education in Florida*, 3. Hereafter cited as *Secondary Education in Florida*.

<sup>64</sup> L. A. Thompson, *Digest of Laws*, 111-112.

<sup>65</sup> G. G. Bush, *Education in Florida*, 14.



came interested in establishing an institution of higher learning. Since two townships had been set aside in 1823 by Congress for institutions of higher learning, a supplementary act was passed on July 1, 1836. It authorized the governor and council to sell

any part not exceeding one half of the two townships of land heretofore reserved and appropriated by Congress for the establishment and support of a seminary of learning in the Territory of Florida, and to appropriate so much of the money arising from the sale thereof, as may be deemed expedient for the erection of commodious and durable buildings for the said university: for the purchase of apparatus, and whatever else may be suitable for such university; and to invest the remainder in some productive funds, the proceeds of which shall be devoted forever to the benefit of said university of Florida.<sup>66</sup>

Congress appointed Joseph M. White, Richard K. Call, Thomas Randall, John G. Gamble, Thomas E. Randolph, Louis M. Goldsborough, Ben Chaires, Turbutt R. Betton, E. Eppes, E. Lockerman, Fitch W. Taylor, J. Loring Woart, Ashbell Steele, and J. Edwin Stewart to the board of trustees of the university.<sup>67</sup> The University of Florida, however, was not established during the Territorial period because conditions were not yet favorable to such an institution.

A local educational society organized in Tallahassee in 1831 did more for the promotion of education in Florida than any other one thing. It encouraged instruction that would be suited for a people living in a frontier community such as Florida then was. The society encouraged boys of Florida to attend institutions of higher learning in some of the States of the Union so that they might return to the Territory and become leaders. A great deal of constructive work was done by

<sup>66</sup> *Statutes at Large*, 24 Congress, 1 Session, 63.

<sup>67</sup> *Ibid.*





## FLORIDA DURING THE TERRITORIAL DAYS

the society, and the interest which it stimulated helped to advance the cause of education considerably.<sup>68</sup>

Efforts to establish private institutions were more successful than those to establish public schools. Probably the oldest of the secondary institutions in the Territory was Webbville Academy, which was established in Middle Florida on December 20, 1827. The first trustees were Charles Stewart, Thomas Baltzell, Ibenezzer Bower, Thomas Russ, Joseph Russ, William Watson, and I. M. Hone. It was the day of the "academy," and Webbville Academy, like all the others, accepted pupils of all ages and grades. Funds for operation came mainly from the tuition of the pupils; however, some private gifts were occasionally made to the school.<sup>69</sup>

Within a short time after the establishment of the Webbville Academy, the people of Tallahassee employed a well qualified teacher and established the Tallahassee Academy.<sup>70</sup> A group of public spirited citizens, members of the educational society of Tallahassee, organized in 1832 a "Fallenberg School." This school was modeled upon the schools in Switzerland by the same name, and had as its primary aim the teaching of agriculture and manual labor. Besides the regular manual arts and mechanics, a little English, botany, and chemistry were taught. A teacher was employed but very few pupils attended the school.<sup>71</sup>

The Pensacola Academy, founded in 1831, was one of the best known schools in the Territory. Advertisements of the school in the *Pensacola Gazette* stressed the healthful climate of Pensacola, the able and efficient teachers, and the very moderate board and tuition charges. J. A. Cameron was president and Reverend A. Steele was superintendent of the institution. Among the tutors were M. Ogden, graduate of Washington

<sup>68</sup> B. F. Ezell, *Secondary Education in Florida*, 2.

<sup>69</sup> Report of the Trustees, December 20, 1827, Florida Territorial Papers.

<sup>70</sup> *Pensacola Gazette*, February 8, 1828.

<sup>71</sup> B. F. Ezell, *Secondary Education in Florida*, 3.





## BEGINNINGS OF PROTESTANT RELIGION

College, and Captain Jack Lorraine, formerly a teacher at the College of Charleston. The rates of the school were as follows:

For beginners in the rudiments of the English language, as well as those who read and write .....	\$2.00	per month
For reading, grammar, writing, arithmetic and geography .....	\$2.50	"
For Greek and Latin .....	\$3.00	"
For higher branches of English education excluding the dead languages .....	\$3.00	"
For the foregoing branches including the dead languages .....	\$4.00	"
French is given under separate charge. <sup>72</sup>		

The trustees tried to persuade Congress to give the institution the whole or a portion of the township of land that had been set aside for the use of a college in the district of West Florida and also an additional land grant, so they might be able to take the funds from these lands and establish a college at the Pensacola Academy. Congress was assured that Pensacola was the best place in Florida for such an institution since it could easily serve all of Florida and parts of Georgia, Alabama, Mississippi, and Louisiana.<sup>73</sup> The grant was not made, and the school remained an academy, but it served West Florida well in that capacity.

Some of the Florida academies were co-educational, but there is reason to believe that very few were, because of the number of girls' schools that were established by individuals. In 1843 the Misses Bates of Tallahassee issued the following announcement concerning their School for Girls:

Commenced Monday, November 27, in the upper room of the Academy, for the first session of five months, divided into two quarters.

<sup>72</sup> *Pensacola Gazette*, April 19, 1834.

<sup>73</sup> Pensacola Trustees to Congress, April 23, 1834, House of Representatives Files.



## FLORIDA DURING THE TERRITORIAL DAYS

### Terms per Quarter:

Primary class—Spelling, reading, and writing . . . . .	\$ 5.00
Junior class—Above with arithmetic, grammar, geography, botany, etc. . . . .	\$ 7.50
Senior class—Above with philosophy, celestial geography, rhetoric, geometry and algebra with all the higher English branches . . . . .	\$10.00
Latin, Greek or French to those not connected with the school . . . . .	\$ 5.00
Lessons on the Piano Forte, including the use of the instrument . . . . .	\$15.00
Lessons on the guitar . . . . .	\$10.00
Drawing and painting . . . . .	\$ 5.00
Contingent charge . . . . .	\$ .50
Quarterly payment in advance. <sup>74</sup>	

The schools and academies laid much emphasis on the commencement exercises. Several days were usually set aside for final examinations. They were of a public nature and usually highly gratifying to the parents of the pupils. Public examination exercises served as an advertisement for the school. Considerable publicity was given to the examination of the graduating class and to the work accomplished by all those who were enrolled in the institution. The 1833 examination exercises for Phillips Academy were held in St. Augustine on September 25, 26, and 27. Medals were presented to those students who were most proficient in their studies. Henry Wallen's salutatory address on "Education in Florida" sounded a note of interest throughout the Territory, and was highly praised by the local press.<sup>75</sup>

Private schools were also established by churches and religious groups. A public meeting was held at Key West in March, 1831, for the purpose of procuring a clergyman to minister to the people of the town. Those attending the meeting agreed that the new minister should be a competent school

<sup>74</sup> *Florida Sentinel*, November 28, 1843.

<sup>75</sup> *Florida Herald*, October 3, 1833.



## BEGINNINGS OF PROTESTANT RELIGION

master as well as a preacher. Reverend Alva Bennett was selected; he arrived at Key West in 1834 and immediately set up a school that served the community for a number of years.<sup>76</sup>

Other private schools founded during the Territorial period, in addition to those already mentioned, were Jefferson, Quincy, Bethel, Marianna, Calhoun, Gadsden, St. Andrews, Ocilla, Mickasukie, St. Joseph, Cherry Lake, Hamilton, Salem, and Leon academies. All of these were in operation at the close of the Territorial period in 1845.<sup>77</sup>

Dade Institute, a school of higher learning, was established largely through the efforts of Captain J. A. L. Norman who had been a soldier in Jackson's army in 1818. He was a graduate of Columbia College, South Carolina, where he had prepared himself as a teacher. He was greatly interested in Florida and saw the need of a private college since there was none in the Territory supported by the government.<sup>78</sup> He spent some time in Florida making preparations for the school and gave it the name of Dade Institute in honor of Major Francis L. Dade, who had served bravely in Florida many years before he was killed. The Legislative Council incorporated the Institute in 1837 and provided that "one destitute young man shall be sent from each county to be educated as a teacher for his county." Captain Norman's efforts were favorably received and there was every indication that the Institute would be a success.<sup>79</sup>

Norman visited a number of colleges throughout the South and talked with members of the faculty, most of whom were sympathetic with his plans for the college in Florida. On September 3, 1837, the faculty of the University of Georgia in Athens adopted a resolution approving "the laudable efforts made by Captain J. A. L. Norman to establish an institute of

<sup>76</sup> J. B. Browne, *Key West*, 21.

<sup>77</sup> B. F. Ezell, *Secondary Education in Florida*, 6.

<sup>78</sup> Call to Jackson, March 27, 1837, Jackson Papers.

<sup>79</sup> Report to Congress, July 2, 1839. House of Representatives Files.





learning in Florida." The University of Virginia faculty on March 23, 1839, "approved and gave cordial approbation of the object" of Norman's work. The faculty of William and Mary College in Virginia resolved on April 6, 1839, that "as friends to the extension of science . . . we the faculty rejoice in the plan" sponsored by Norman. And the College of Charleston, on April 17, 1839, sent their "approval and best wishes" to Captain Norman. Upon his return to Florida after visiting several colleges in the South, the citizens of Monticello, Jefferson County, gathered in a public meeting and expressed their appreciation of Norman's work.<sup>80</sup>

In 1840 Congress granted a township of land for the endowment of Dade Institute to be located near Fort King in Central Florida,<sup>81</sup> but the movement got no further. The Seminole War diverted the attention of the people from education and, by the time the War was over, Dade Institute was a forgotten enterprise.

Since there was no college in the Territory, some boys sought educational advantages in colleges in other Southern states. One of the most popular out-of-Territory schools for boys was Transylvania College in Lexington, Kentucky. For the study of politics, law, ministry, and medicine, Transylvania was a particularly good college. No sectarian doctrines were taught at the school, but some religious faith was urged upon the students. Ministers of all denominations were invited to preach in turn at the chapel services, but students were allowed to attend the churches in Lexington if they desired to do so.<sup>82</sup>

Another college that attracted a number of Florida boys was Franklin College, or the University of Georgia, in Athens. Commenting on that school, the *Star of Florida* said in 1841:

<sup>80</sup> *Ibid.*

<sup>81</sup> Report to Norman, March 5, 1840, House of Representatives Files.

<sup>82</sup> *Pensacola Gazette*, July 10, 1824.



## BEGINNINGS OF PROTESTANT RELIGION

Franklin College in Athens, Georgia, will open soon for the winter session and quite a respectable number of young Floridians will be among those registered there. It is pleasantly situated in the beautiful town of Athens, and it has every advantage which location, moral and refined society, and pure, bracing mountain air can give; affording a delightful retreat to youths, who for years, have been breathing the enervating atmosphere of our soft, voluptuous climate. . . . The college is in prosperous condition despite the recent cut in appropriations, but the work of the school is not impaired by this. The appropriations were cut in all departments of the state. . . . Thousands go to Athens each commencement to see the graduating class perform, and there are always many young Floridians among them. . . . Franklin is steadily advancing; and in the zeal, talents, and acquirements of its faculty, in the liberal and comprehensive course of studies adopted, and in the character of the young men who go out from under its walls every year, may safely challenge comparison with any of the colleges of the South.<sup>83</sup>

Girls, too, attended schools in other states. Lafayette Female Academy in Lexington, Kentucky, enrolled a number of Florida girls. That school had a good reputation, and people who had moved to Florida from Kentucky and other southern states sent their daughters there.<sup>84</sup>

Educational development in Territorial Florida made little progress. The Territorial government lacked money, and the Federal government felt the need of defeating the Seminole Indians before giving much attention to education. Private institutions did a great deal, but even they were badly handicapped because pioneer life was not conducive to educational pursuits.

<sup>83</sup> *Star of Florida*, December 22, 1841. The University of Georgia catalog for the 1840-1841 session listed six of the total 118 students from Florida. Only scattered copies of the Georgia catalog before 1841 are available, but from a study of these it is evident that the student body at Athens always included a few Floridians.

<sup>84</sup> *Pensacola Gazette*, October 22, 1825.



## Chapter X: THE STRUGGLE WITH THE SEMINOLES

THE SEMINOLES OF FLORIDA HAD BECOME VIRTUALLY CIVILIZED by the time Spain transferred the Territory to the United States. They had learned the traits and habits of the white man, and had experienced the happiness and contentment which came from having permanent homes and settlements. The determination of the Seminoles to hold forever their lands in Florida, and to live there on equal basis with the white inhabitants created the biggest single problem with which Territorial leaders had to deal. The removal of the Seminoles was a long and arduous process, but it had to be completed before the Territory could experience normal progress and development. An Indian removal bill was passed by Congress in 1830 which provided that Indians living east of the Mississippi River should be removed to the West.<sup>1</sup> This included the Seminoles, but the Federal government made the mistake of attempting to deal with the Florida red men as a group of uncivilized people by placing over them a system of supervision termed "patronage and protection" rather than giving to them the freedom they had enjoyed under the Spanish.<sup>2</sup> To cope with the situation the Seminole leaders, who had been schooled in the rudiments of Indian warfare, struck with savage fury upon the Territorial inhabitants, leaving Florida weak and ineffective.

The Seminoles were not originally Florida Indians. They

<sup>1</sup> *Statutes at Large*, 21 Congress, 1 Session, 411-412.

<sup>2</sup> John Titcomb Sprague, *The Origin, Progress, and Conclusion of the Florida War*, 19. Hereafter cited as *Florida War*. Also found in Grant Foreman, *Indian Removal*, 315.





## THE STRUGGLE WITH THE SEMINOLES

had come to the Spanish-owned territory about 1750 under the leadership of Secoffee, who had prior to that time been a chieftain of the Creek tribe in Georgia. Having become disgruntled at the Creeks, Secoffee and a large number of followers left their native homes and found seclusion in Florida, where they came to be known as Seminoles. The name means "lost men" or "run-away," and that is how they considered their departure from the Creeks.<sup>3</sup> Having settled in the Alachua district and having made a home for his people, the old chief died in 1785. But before his death he commissioned his son Payne as leader of the Seminoles, and revealed to him that during his brief span of years in Florida he had killed eighty-six Spaniards. The young chief later equalled his father's record, and even far surpassed it.<sup>4</sup>

In 1806 another band of Creeks came to Florida under Micco Hadjo, and settled in the hilly regions of North Central Florida. Soon they united with the Seminoles. During this process of unification the new immigrants were forced to encounter the Mickasukie tribe, the legitimate owners of the land on which the Seminoles had settled. The Mickasukies were no relation to the runaway Creeks, but before many years had passed they amalgamated with them and joined in the effort to overcome their common enemy—the white man.<sup>5</sup>

The Seminoles constantly gave trouble to the whites, and were a great nuisance to the United States government long before Florida was acquired by that country. The Georgia slave-owners were forced to stay constantly on the alert, lest the Indians lure their Negro slaves to freedom in the Spanish territory. Once in Florida, the blacks were enslaved by the Indians, but their servitude with the red man was far less permanent than with the Georgia plantation owners.

<sup>3</sup> *Forty-Second Annual Report of the Bureau of American Ethnology* (1924-1925), 47-48. Also found in Josh Giddens, *Exiles of Florida*, 3.

<sup>4</sup> J. T. Sprague, *Florida War*, 20.

<sup>5</sup> *Ibid.*, 26.



## FLORIDA DURING THE TERRITORIAL DAYS

The Indians knew the rudiments of agriculture themselves, and the Negroes helped with the cultivation of the fields. Their villages dotted the vast expanse of Florida frontier from St. Augustine to the Apalachicola River. In 1822 there were 3,899 Indians in the Territory, including men, women, and children, and about 1,000 Negroes.<sup>6</sup> In May of that year the Federal government sent Colonel Gad Humphreys to Florida to act as agent to the Indians, and William P. Duval, governor of the Territory, was named ex-officio superintendent of Indian affairs.<sup>7</sup>

Very few of the Territorial leaders agreed on a policy for dealing with the Indians. Andrew Jackson, the first military governor of Florida, believed that they should be concentrated on a reservation in the Apalachicola River region, but there was a strong feeling among the white settlers of the Territory that they should be moved to the unpopulated wilderness in the southern part of the peninsula. Others, including Secretary of War, John C. Calhoun, favored the idea of sending the Seminoles west of the Mississippi River, although no lands were at that time available for such use. Calhoun instituted the policy of encouraging the Seminoles to join the Cherokees and the Choctaws on their western reservations. They were told that they could carry their slaves with them, and thereby avoid further outrages by their white neighbors who begrudged the Indians their slaves.<sup>8</sup> The Seminoles were opposed to the idea, however, and continued to reside on their home soil.

The problem of working out some suitable agreement with the Indians concerning their future home was recognized some time before it was tackled. Soon after Florida became a Territory the Seminole chiefs were invited to join the whites

<sup>6</sup> G. R. Fairbanks, *History of Florida*, 271.

<sup>7</sup> Calhoun to Duval, May 8, 1822, Florida Territorial Papers. Also found in Grant Foreman, *Indian Removal*, 330.

<sup>8</sup> Calhoun to the Indians, June 30, 1823. War Department Indian Office.





## THE STRUGGLE WITH THE SEMINOLES

at St. Marks for the purpose of making a treaty, but all efforts resulted in failure. Finally in 1823 the President appointed James Gadsden and Bernard Segul to work in conjunction with Duval and Humphreys as commissioners, and to draw up a treaty that would dispossess the Indians of some of their lands and remove them within restricted areas. During the summer of 1823 the commissioners consulted several of the principal chiefs in reference to the proposed settlement; and Fort Moultrie, located five miles south of St. Augustine on the coast, was fixed for the meeting place. It was agreed to call the first session September 5.<sup>9</sup>

The Indians, on the whole, were skeptical of such a meeting with the whites. They had hoped that an early settlement would not be requested, but they looked with confidence to the "Great White Father" in Washington for fair treatment. At first they refused to assemble for purposes of making a treaty but economic difficulties ultimately forced them to give in, and a majority of the nation consented, though reluctantly, to meet with the commissioners. Among the leading chiefs meeting at Fort Moultrie in September, 1823, were Tuski Hajo, Mulatto King, Emathlochee Neamathla, John Blunt, and Econchatimico. There was not much good will existing among the various chiefs present at the Fort Moultrie gathering, and much dissension resulted. Negotiations at times seemed futile, for the obstinate Indians refused to cooperate on many measures. Finally ten articles were drawn up, of which article two, dealing with the new Indian boundaries, was most significant. It provided that

The Florida tribes of Indians will hereafter be concentrated and confined to the following metes and boundaries: Commencing five miles north of Okehumkee, running in a direct line to a point five miles west of Satarky's settlement on the waters of Amazura [or Withlacoochee river], leaving said set-

<sup>9</sup> *East Florida Herald*, May 3, 1823.





## FLORIDA DURING THE TERRITORIAL DAYS

tlement two miles south of the line; from thence, in a direct line to the south end of the Big Hammock, to include Chicalachate continuing in the same direction, for five miles beyond the said Hammock: provided said point does not approach nearer than 15 miles the sea coast of the Gulf of Mexico; if it does the said line will terminate at that distance from the sea coast; thence south 12 miles; thence in a south thirty degrees east direction, until the same strike within five miles of the main branch of Charlotte river; thence in a due east direction, to within twenty miles of the Atlantic coast; thence north, fifteen west, for fifty miles, and from this last to the beginning point.<sup>10</sup>

This article would have concentrated all the Indians in a restricted area of about four million acres of land situated east of Tampa Bay and south of the source of the St. Johns River, thus leaving the lands from the St. Johns to the Perdido River open to settlers. Another article of the treaty promised supplies for an entire year to the Seminoles, plus \$100,000 in annuities, and the expenses of the treaty and its execution. But in order to subdue the feelings of several of the chiefs, who were disgruntled by the conduct of the white men, concessions were made by an amendment to the treaty. This amendment allowed the older chiefs, namely Neamathla, John Blunt, Tuski Hajo, Mulatto King, Emathlochee, and Econchatimico and a few of their chosen friends, to remain in the old towns along the Apalachicola River.<sup>11</sup> The treaty in its final form was ratified by the Senate of the United States on January 2, 1824. J. T. Sprague said that the Indians' "destiny, their happiness, and prosperity were now in the hands of the people."<sup>12</sup>

The treaty was never satisfactory, because the Indians did not feel obligated to abide strictly by the laws of the United States unless such laws suited their convenience. They soon be-

<sup>10</sup> *Senate Documents, Indian Affairs, Laws and Treaties*, II, 143. Hereafter cited as *Indian Treaties*.

<sup>11</sup> *Ibid.*, 143.

<sup>12</sup> J. T. Sprague, *Florida War*, 25.



gan to roam at large outside of the four million acre reservation given to them by the Federal government. The northern boundary was never completely defined, thus leaving a situation that engendered controversial difficulties. By 1826 the red men wanted an extension of their boundaries, after having subsisted a year on the bounty of the government. Depredations became numerous, and much damage was done to the property of the whites. Cattle and hogs were killed, plantations were robbed, and slaves were enticed from their masters.<sup>13</sup> The whites naturally were offended by these outrages, but neither Governor Duval nor Indian Agent Humphreys had the authority to call out the militia and put down the unlawful Indians.

One reason for the lawlessness among the Indians was the alarming economic conditions which prevailed. Those living along the Apalachicola River were almost in a state of starvation. Three times during 1825 their corn fields were swept by an unusual rise of the river. Similar hardships were experienced by those in the "Big Swamp" area of Central Florida. During the spring of 1826 the Secretary of War announced to the Indians that they must maintain peace and order or else be transferred to a section west of the Mississippi River, to which they paid very little heed.<sup>14</sup> The sentiment for a removal of the Indians to the West was growing year by year, for the continuation of Indian troubles retarded immigration into the Territory.

Indian depredations were spasmodic, but they were so frequent that the whites in the vicinity of the reservations were in constant fear of foul play. Colonel White, Territorial delegate, in an attempt to satisfy the Indians, asked them to consider a large area of land west of the Mississippi. But the In-

<sup>13</sup> Inhabitants of St. Johns County to the President, March 6, 1826, War Department Indian Office.

<sup>14</sup> Barbour to Indians of Florida, May 10, 1826, War Department Indian Office.





## FLORIDA DURING THE TERRITORIAL DAYS

dians were unwilling to give up their Florida possessions. Hicks, a Seminole chief, said to White in 1827 that "the white man who told the President we wanted to go west of the Mississippi told a lie . . . our country here is a bad country but we love to keep it."<sup>15</sup> The plight of the Seminoles was a sad one, and for years before the actual outbreak of hostilities they lived a miserable existence. They were poorly fed and wretchedly treated in many cases, but in others they got far more consideration from the whites than they deserved.<sup>16</sup>

Thoroughly disgusted with the Indian conduct, the Federal government made plans in 1830 for a showdown with the undesirable redskins of Florida. Major John Phagan was appointed Indian agent to succeed Gad Humphreys in an attempt to effect Indian removal from the Territory. On January 30, 1832, James Gadsden was appointed special commissioner by Secretary of War, Lewis Cass, to work with Phagan in an effort to move the Seminoles without delay.<sup>17</sup> The first thing Gadsden attempted to do was to get the Indians to meet with him about the plans of removal. His task was a difficult one, but he was ultimately to succeed. Gadsden wrote the President from Palatka on March 17, 1832, that the principal chiefs and warriors were causing a delay in the proposed meeting because of the annual hunt which had carried them far into the interior.<sup>18</sup> The Indians were so near the starving point they were forced to live largely on game, and the annual hunt this particular year lasted longer than usual. A drought in 1831 had destroyed their crops, and Gadsden found that some of them had been subsisting for several months on roots and cabbage of the palmetto tree.<sup>19</sup>

Finally after months of delay, Gadsden succeeded in gather-

<sup>15</sup> Hicks to White, May 4, 1827, War Department Indian Office.

<sup>16</sup> *Niles' Weekly Register*, XVII, 172.

<sup>17</sup> Cass to Gadsden, January 30, 1832, War Department Indian Office.

<sup>18</sup> Gadsden to the President, March 17, 1832, War Department Indian Office.

<sup>19</sup> Grant Foreman, *Indian Removal*, 320.





## THE STRUGGLE WITH THE SEMINOLES

ing a majority of the chiefs and warriors in council on May 9, 1832, at Payne's Landing, where a conditional agreement was entered into. The most significant feature of the treaty was a provision that the Seminoles were to relinquish their Florida lands and emigrate if the new territory west of the Mississippi proved satisfactory to a representation of Seminole tribes. The treaty also provided that the United States would assume all removal expenses, and pay all expenses for Indian subsistence for twelve months after the arrival in the new reservation. The removal was to take place within three years.<sup>20</sup> Fifteen chiefs signed the treaty. Since this Treaty of Payne's Landing included only the Indians in Central Florida, a separate treaty was made with the Apalachicola band of Indians on October 11, 1832, by which they agreed to do as the other Indians had promised.<sup>21</sup>

In September, 1832, a group of Indian chiefs were selected to go with Major Phagan to the proposed reservation west of the Mississippi and approve the new site. The long trek took several months, but finally, in January, 1833, the small group reached Fort Gibson, Arkansas, where they were met by three additional Indian agents, Monfort Stokes, H. L. Ellsworth, and John F. Schermerhorn, who had been sent there by the President to aid in the transaction. The Indian representatives spent January, February, and March examining the western country, which presented no attractiveness at that time of the year. However, an additional treaty was signed with the Indian representation at Fort Gibson in March, 1833, in which they seemed pleased with the country, and stipulated "that the nation shall commence the removal to their new homes as soon as the government will make arrangements for their emigration satisfactory to them."<sup>22</sup>

The delegation returned to Florida in April, 1833, to find

<sup>20</sup> *Indian Treaties*, II, 249-250.

<sup>21</sup> *Ibid.*, 255-260.

<sup>22</sup> *Ibid.*, 290-291. Also found in J. T. Sprague, *Florida War*, 78.



the entire Seminole nation dissatisfied with the powers assumed by their representatives. Ridiculed and upbraided by their kinsmen, the western delegation denied their own acts, and declared that they had not signed any treaty which required the Indians to take up homes beyond the Mississippi. To an Indian, civilized though he might be, a treaty was nothing more than a scrap of paper. Despite the two recent treaties with the whites, the Indians by the summer of 1833 were more than ever determined to hold to their native lands. Micanopy, the principal chief, was old and indolent and would have offered very little resistance to the removal plans had it not been for the younger warriors who incited him to action. The most daring of all the young warriors was an intelligent half-breed, named Osceola or Powell.<sup>23</sup> In him were personified the hate and fiery passion that were unleashed against the whites who attempted to force the Indians to remove.

On April 9, 1834, the Senate ratified both the Treaty of Payne's Landing and the Treaty of Fort Gibson. Shortly afterwards, Wiley Thompson was appointed agent and superintendent of the emigration, and General Duncan Clinch was ordered to take charge of the United States troops in the Territory. The national government was in earnest about the removal. Federal leaders were determined to rid the Territory of the red menace, but the Indians were just as determined to retain their Florida lands.<sup>24</sup> Trouble was in the offing.

For two years after the Treaty of Fort Gibson the Indians remained sullen and adamant. They stalled while the Federal government threatened; the greatest point of disagreement between the two was the proposal to separate the Negroes from the Indians and return the slaves to their former owners in the States. Through much persistence, Wiley Thompson succeeded, in April, 1835, in getting a favorable reply from the

<sup>23</sup> Grant Foreman, *Indian Removal*, 328.

<sup>24</sup> J. T. Sprague, *Florida War*, 79.





Seminole as to their removal to the West. Half-heartedly they agreed to go, but they were still undecided. Osceola resented this attempt of Thompson's to bribe the Indians to move, and showed it by his coldness and reserve toward the whites around Fort King who had always been his friends. When approached by Thompson, the fiery young Indian swore not to abide by the treaty and insulted the Indian Agent with abusive language. Whereupon Osceola was arrested and kept a prisoner for six days. Upon promise of repentance, he was freed. He also promised to emigrate, and use his influence to get others to do the same. Osceola was a natural leader and his cooperation would have settled the problem; but his promise was to prove worthless. Thompson made plans to begin the removal in January, 1836.<sup>25</sup>

Despite seemingly friendly relations, tense, hostile atmosphere prevailed in most of the Indian villages. During the summer months of 1835 the Indians refrained from visiting Fort King in Central Florida except in small groups. In fact, intercourse between the two races was virtually at a standstill. By October, the Indians who had remained friendly with the whites were badly treated and some of them were killed by the hostile red men. By December, the whites could obtain no Indian runners, for the friendly Indians about the white settlements were afraid to get out of sight of the post for fear of being murdered by some of their own people.<sup>26</sup>

Meanwhile plans were being drawn to effect the departure of the Seminoles from Tampa Bay. An effort was made to have all the Indians, about 3,000, at the place of departure by January 1, 1836. But all plans were interrupted on December 28, 1835, when Wiley Thompson and a small party of whites were murdered not far from Fort King. The foul act was committed by Osceola and sixty young warriors, who had con-

<sup>25</sup> Milton M. Cohen, *Notices of Florida and the Campaigns*, 55.

<sup>26</sup> J. T. Sprague, *Florida War*, 88.





## FLORIDA DURING THE TERRITORIAL DAYS

cealed themselves in a hammock for two days awaiting Thompson.<sup>27</sup> Indignation of the white populace in Florida reached the bursting point. Hostilities had actually begun. On the same day that Thompson was murdered, Major Francis L. Dade and 139 of his men were attacked by the Indians in the Big Wahoo Swamp, and all except two were killed.<sup>28</sup> The massacre was one of the most brutal of the War. On December 31, 1835, Osceola and 250 warriors encountered Generals Clinch and Call at Withlacoochee, where a fierce battle was fought, but without a decisive victory for either side.<sup>29</sup> This was the first pitched battle of the War. There was no hope for peace after this. The War now had to be fought to a bitter end.

The War was not at all successful for the whites during the earlier years of hostilities. On January 31, 1836, General Winfield Scott was made commander of the fighting forces in the Territory, but before his arrival in Florida the battles of Micanopy, Wetumpka, and Dunlawton had been fought. In these battles the inhabitants of Florida had little assistance from the outside.<sup>30</sup> But General Edmond P. Gaines, who was located in New Orleans at the outbreak of the War, heard the news of Dade's Massacre and without waiting for orders from the War Department left immediately to join the forces in the Territory. In traversing the lower Withlacoochee Swamp, he engaged the Indians in a brief but unsuccessful campaign about the middle of February.<sup>31</sup>

Meanwhile General Scott had arrived to take up his duties. His campaign policies did not meet the approval of the War Department, however, and he was sent to western Georgia in May of 1836 to direct the fighting against the Creeks. Scott's

<sup>27</sup> Grant Foreman, *Indian Removal*, 328.

<sup>28</sup> Edwin L. Green, *History of Florida*, 238.

<sup>29</sup> Richard Keith Call Journal, 362.

<sup>30</sup> *Pensacola Gazette*, February 20, 1836.

<sup>31</sup> E. L. Green, *History of Florida*, 240.



## THE STRUGGLE WITH THE SEMINOLES

ineffectual warfare against the Seminoles aroused considerable resentment and hard feelings toward him throughout the Territory.<sup>32</sup>

General Thomas Jesup succeeded Scott in command, but General Richard Keith Call was in charge of military operations until General Jesup's arrival on December 8. During November, 1836, there was some fighting along the Withlacoochee River and in the Big Wahoo swamp, but these battles were of no real consequence. The Indians retreated but they retained the advantage at the end.<sup>33</sup> Major General Alexander Macomb served in the Florida campaign for a short while in 1836, but he was sent only as a precautionary measure. His presence there had little significance.<sup>34</sup>

In 1837, further efforts were made to secure a peace with the Indians. General Jesup succeeded in getting a few of them together at Fort Dade, and indications were that a peaceful settlement would be made soon. Even Osceola seemed willing to cease hostilities in May, 1837, but in June he stirred up hostile feelings among the Indians, and the whites prepared to fight. The flare-up was momentary, however, and most of the summer was spent in peaceful activity with several hundred Indians congregating in two large camps near Tampa Bay for their removal from the Territory.<sup>35</sup> It seemed quite certain that hostilities were definitely over, but the Indian leaders were only stalling for an opportunity to take the whites by surprise.

Fearing that Osceola might deceive him again Jesup imprisoned the Indian leader in October, 1837, along with Wildcat, and several other chiefs. The chiefs were lodged in Fort Marion while the Indian braves, women, and children were

<sup>32</sup> *National Intelligencer*, June 4, 1836.

<sup>33</sup> *Niles' Weekly Register*, I, 364.

<sup>34</sup> Secretary of War to Macomb, March 11, 1836, War Department Military Book.

<sup>35</sup> Grant Foreman, *Indian Removal*, 346.



## FLORIDA DURING THE TERRITORIAL DAYS

rounded up for immediate movement to the lands west of the Mississippi.<sup>36</sup> Osceola was sent to Fort Moultrie in South Carolina, where all efforts to interest him in a new home failed completely, and he died of a broken heart. Wildcat, however, escaped from the St. Augustine prison, and returned to his band, where he carried on the work of his imprisoned mate. What was probably the greatest battle of the War was fought on December 25, 1837, at Okeechobee, where Wildcat and his infuriated warriors met about a thousand white men under the leadership of Colonel Zachary Taylor. The Indians were soundly defeated, many of them being killed.<sup>37</sup> This was the last pitched battle fought between the Seminoles and the whites. Before General Jesup relinquished the command of the Florida troops to General Taylor in May, 1838, he had succeeded in either killing or capturing 2,400 of the Indians, 1,089 of whom were sent to the reservation in Arkansas.<sup>38</sup> The few remaining Florida Indians continued to be a terrible menace.

The people of the United States as well as the Floridians were becoming weary of the continued struggle. Heated debates took place in Congress over the prolonged hostilities. Rumors were adrift that certain factions were using the war for political purposes. In the spring of 1839 an effort was made by Congress to appease the remaining Indians, who were at large in the Territory. General Alexander Macomb was sent back to Florida to make the necessary arrangements for their ultimate removal. He succeeded, and the *St. Augustine News* expressed the sentiment that

The final close of the Florida War, through the agency of General Macomb, is the prevailing opinion of a large portion of the inhabitants of the United States. Dissatisfied as has been the country generally, at its long continuance and lavish

<sup>36</sup> *National Intelligencer*, October 31, 1837.

<sup>37</sup> Grant Foreman, *Indian Removal*, 356-357.

<sup>38</sup> *Ibid.*, 367.





## THE STRUGGLE WITH THE SEMINOLES

expenditures, they will at least hail the assertion of its close with feelings of pleasure and gratitude to the agent by which so desirable an end has been consummated. Florida herself would join in the general thanksgiving and swell his song of praise as the most able of chieftans, were there not some little drawback to this prospective glory. . . .<sup>39</sup>

All negotiations for peace were abruptly ended on July 22, 1839, however, when eighteen of the thirty men in Lieutenant Colonel William S. Harney's detachment near the Caloosahatchie River were murdered by a lurking band of hostile Seminoles. Up to the time of the attack this band had been friendly to the whites stationed on the river, and seemed pleased with the peace arrangements being made by the government.<sup>40</sup> After this incident the end of the War seemed as far off as ever. The Indians had learned that it was no difficult task to deceive the white troops, who continued to trust them after many deceptions. But hatred between the two races was extremely bitter; and the War was destined to continue for several years.

General Taylor attempted to administer a sound defeat to the enemy after the massacre of Harney's detachment, but the Indians were too skillful for him, and he was relieved in May, 1840, by General Walker Armistead. By this time the red men were scattered in small bands from the Apalachicola River to Cape Sable, and the army found it difficult to encounter them. The troops far outnumbered the Indians, but the method of swamp warfare used by the Indians was never mastered by the whites.<sup>41</sup> Armistead served in Florida until May, 1841, during which time about 450 Indians were captured and sent away. General William J. Worth succeeded Armistead, and the troops went about the task of capturing the few remaining Indians with renewed vigor. On June 15, 1841, Wildcat, the ringleader of the opposition, was captured

<sup>39</sup> *St. Augustine News*, June 1, 1839.

<sup>40</sup> Grant Foreman, *Indian Removal*, 373.

<sup>41</sup> *Florida Herald*, December 11, 1840.



along with an uncle, a brother, and sixteen followers. General Worth pleaded with the captured Indian leader for cooperation in rounding up the Seminoles, and tried to show him wherein their interests could be better served if they moved to the reservation in Arkansas. Worth appealed to Wildcat's vanity; he played up the Indian's bravery and declared that Wildcat was the man to end the War. The Seminole leader finally consented to send runners for those Indians still at large, and at the end of forty days most of them were gathered at Tampa Bay ready for the trip to New Orleans and thence to Arkansas.<sup>42</sup> Thus by January 1, 1842, most of the Seminoles had been captured and sent to the western reservation.

Occasional depredations still took place, but in February, 1842, Billy Bowlegs and Sam Jones were captured; shortly thereafter Halleck-Tustenuggee and his band were arrested, and the removal of these leaders virtually ended the war. General Worth recommended that the remaining 112 warriors, located in South Florida, be allowed to remain there temporarily. This was agreed to, and on August 12, 1842, the Seminole War was officially closed. However, not until January 4, 1845, was a final treaty made with the Federal government. This treaty set forth the permanent boundaries of the Seminole reservation in Arkansas, and prescribed lasting peaceful relations.<sup>43</sup>

War-weary Floridians were elated over the outcome. For six years they had lived in fear of the Indians; 1,500 white soldiers had been killed, and twenty million dollars had been expended, but now the people of the Territory were free to develop their land as they saw fit.<sup>44</sup> The regular army and the militia were dismissed, and important military posts such as Fort Mellon, Fort Brooke, Fort King, and Palatka dwindled

<sup>42</sup> E. L. Green, *History of Florida*, 256-260.

<sup>43</sup> Grant Foreman, *Indian Removal*, 381. Also found in *Indian Treaties*, II, 407.

<sup>44</sup> *Ibid.*, 383.



## THE STRUGGLE WITH THE SEMINOLES

to settlements of little significance. The few Seminoles, Mickasukies, and Creeks left in South Florida were so grateful for the privilege of remaining on their lands that they gave no further trouble.





## *Chapter XI:* GOVERNOR CALL, A JACKSON SATELLITE

PROBABLY THE MOST COLORFUL FIGURE INVOLVED IN THE DESTINY of the Territory was Virginia-born Richard Keith Call, who excelled as an Indian fighter during the Seminole War and served two terms as governor prior to Florida's entrance into the Union. He left behind him an impressive political career in the state. Most of his early years were spent in Kentucky; and the recollection of a happy childhood in that state often caused him to return for visits after his permanent home had been established in Florida. He spent several years in a military academy in Tennessee, but with the outbreak of the War of 1812 the restless and impetuous youth left the academy to join an expedition to hunt down a hostile band of Creek Indians who had murdered a family on the Tennessee River. The Indians were not found, and Call returned to his studies at the academy. But the love for military life got the better of him, and he left school again, permanently this time, and joined a volunteer company under General Andrew Jackson to serve against the Creek Indians.<sup>1</sup>

Call served faithfully in Jackson's army as a third lieutenant throughout the Indian campaign which ended with the Battle of Horse Shoe Bend and a victory for the whites. During the campaign every one of Call's company, fearing death from the Indians or starvation, deserted and went home. The loyalty which prompted the young lieutenant to remain with

<sup>1</sup> Caroline Mays Brevard, "Richard Keith Call," *Florida Historical Quarterly*, I (July, 1908), 5.



## GOVERNOR CALL, A JACKSON SATELLITE

Jackson, and to fight in the ranks despite the desertion of his entire company, won for him a place of esteem with Jackson. This was the beginning of a warm friendship between the two men, and of a military and political career which took the young soldier to the Territory of Florida. He was given a commission in the regular army, and after the War of 1812 promoted to the rank of captain. Call was with General Jackson on the first Indian campaign which the General made into Florida against the Seminoles, and he was with him again when Jackson was sent to the Territory to become its first military governor.<sup>2</sup>

Arriving in Pensacola, Call became so enthralled over the Spanish town that he decided to make his home there. He resigned his commission in the army and took up the practice of law, but his friendship with Jackson continued. After Jackson left Florida and returned to his home at the Hermitage in Tennessee, an intimate correspondence was carried on for several years between him and Call. The following letter, written by Jackson to Call on November 15, 1821, indicates the intimacy of the two men.

I had the pleasure last evening of receiving your two letters of the 14th ult [in those letters Call had thanked Jackson for all he had done for him]. Nothing can afford Mrs. Jackson and myself more pleasure than in hearing from you often, and particularly that you are well, and doing well. Your gratitude expressed of my friendship towards you, shews the god-like virtue of a heart susceptible of friendship. Believe me when I first met you in the field, your youthful appearance, your manly and soldier like deportment, attracted my attention, and when mutiny and desertion pervaded my camp, when situated in the howling wilderness with the savage yell it was your soldier like and honorable conduct . . . that drew my particular attention to you. . . .<sup>3</sup>

<sup>2</sup> C. M. Brevard, "Richard Keith Call," *loc. cit.*, 6-7.

<sup>3</sup> Jackson to Call, November 15, 1821, Jackson Papers.



## FLORIDA DURING THE TERRITORIAL DAYS

Jackson as governor was anxious to appoint Call to a high position in the Territory, but the appointive power had been taken from him by President Monroe, much to Jackson's disgust. Mrs. Jackson wrote that

There never was a man more disappointed than the General has been. In the first place he has not the power to appoint one of his friends, which I thought was in part the reason of his coming [to Florida]. But far has it exceeded every calculation; it has almost taken his life. Captain Call says it is equal to the Seminole Campaign. . . .<sup>4</sup>

Call became so prominent as a lawyer in Pensacola that his many friends endeavored to get him to announce his candidacy for the Territory's delegate in Congress in 1822. However Call felt that he was not strong enough to make a successful race and declined to run. Jackson congratulated him upon the decision not to make the race, saying that after he had become better situated financially, he might launch out upon a political career. "Recollect as long as you are rendering important service to your country you will be extolled," said Jackson, "but should these services reduce you to want, then you will find, that your greatest eulogist will desert you. . . ." <sup>5</sup>

Call's popularity grew fast, and by 1823 he was considered one of the most brilliant lawyers in Pensacola. Honors came to him in rapid succession in that year. In January President Monroe appointed him Brigadier-General of the militia of West Florida. Andrew Jackson who was always ready to promote the interest of his young friend, had suggested the appointment. Call was also made a member of the Pensacola Municipal Board, and a delegate to the Legislative Council which sat that year in St. Augustine.<sup>6</sup>

During the summer of 1823 Call for the third time was re-

<sup>4</sup> Mrs. Jackson to a friend, Richard Keith Call Journal, 247.

<sup>5</sup> R. K. Call Journal, 254.

<sup>6</sup> Daisy Parker, "R. K. Call, Whig Leader," Tallahassee Historical Society Annual, IV (1939), 13.





## GOVERNOR CALL, A JACKSON SATELLITE

quested to become candidate for Congress; this time he gave his consent. The election was a complete triumph for Call, who polled 100 per cent of the votes in Escambia County, and a large majority of all the votes in West Florida. His popularity had not spread to East Florida, for there he received only six votes, but J. M. Hernandez, Alexander Hamilton, and H. Bethune, the other three candidates, split the vote in such a way that Call received a majority of the total number of votes in the Territory.<sup>7</sup> His victory in the election brought further advancement and recognition and was the beginning of his political career.<sup>8</sup>

As a delegate from a Territory, Call had no vote in Congress, but he attended its sessions faithfully and worked hard for his adopted Florida. His main interest was in internal improvements, and he was successful in securing appropriations for the construction of roads, lighthouses, bridges, and canals in the Territory. He was also responsible for an appropriation of \$100,000 for the construction of a navy yard and depot somewhere on the west coast of Florida. The yard was finally established at Pensacola. Call had the assistance of Andrew Jackson and John H. Eaton in securing these appropriations.<sup>9</sup> Jackson had on many previous occasions befriended Call, and his influence, combined with that of Eaton, proved at this time most effective to the newly-elected Florida delegate.

Bitter opposition developed in Congress against the Jackson-Eaton-Call group of Florida benefactors. The opposition claimed that Florida was getting more than her proportionate share of the Federal appropriations. This feeling was strongly expressed by John Randolph of Virginia who opposed all assistance to Florida, and declared the Territory worthless.<sup>10</sup> But Congressional interest in Florida was main-

<sup>7</sup> *Pensacola Floridian*, June 14, 1823.

<sup>8</sup> *Niles' Weekly Register*, XXIV, 336.

<sup>9</sup> R. K. Call Journal, 261.

<sup>10</sup> *Ibid.*, 266.



## FLORIDA DURING THE TERRITORIAL DAYS

tained throughout the Territorial period, and Florida continued to be favored with Federal appropriations.

Call was married to Mary Letitia Kirkman on July 15, 1824, at the Hermitage near Nashville. The young couple afterwards found much pleasure in the company of the General and Mrs. Jackson. Mrs. Call returned to Washington with her husband, but their tenure there was very short, as Colonel Joseph M. White was elected to Congress from Florida in 1825.<sup>11</sup>

Upon his return to Florida in 1825, Call moved to Tallahassee and became interested in the economic development of that section. He bought a large tract of land on Lake Jackson, a few miles north of the city, and was later appointed Receiver of public lands for Middle Florida. This office gave him the opportunity of becoming a speculator in lands, and an investor in many projects connected with the development of the Territory. The income from his land sales netted him a handsome sum from year to year, but he never made a show of his money. He lived a plain life, enjoying in a very modest way the profits from his labors.<sup>12</sup>

Through the years the friendship between Call and Jackson became more mature as their political ties strengthened. The ambitious young politician never passed up an opportunity of letting the old General know how much he thought of him. When Call announced to him the birth of his first child in September, 1825, he lamented the fact that it was not a boy, for, he said, it would have been named for "my dearest and best friend—Andrew Jackson."<sup>13</sup>

By nature a politician, Call continued to manifest an interest in politics while living at his plantation on Lake Jackson, and took issue with some of the leading figures in Florida over mat-

<sup>11</sup> *Ibid.*, 270.

<sup>12</sup> Lula Keith Appleyard, MSS, Plantation Life in Middle Florida, 33.

<sup>13</sup> Call to Jackson, September 23, 1825, Jackson papers.





ters pertaining to the Territory. He engaged in a bitter controversy with the editor of the *East Florida Herald* over the conduct of Judge James L. Smith, of St. Augustine. The affair was none of Call's immediate concern, but he publicly lambasted the *East Florida Herald's* position. The editor replied: "We take more than great pleasure to tell the General we reciprocate the feelings." The editor of the *Pensacola Gazette*, who had prior to this time been friendly to Call, joined the *Herald* and Call soon found himself one of the most criticised men in the Territory. But he continued to have many political friends despite the opposition he had created in East and West Florida.<sup>14</sup>

When Jackson was elected President of the United States in 1828, Call felt certain that he would receive a political appointment from his old friend. Call's interest and enthusiasm were at fever pitch throughout the presidential campaign, and though the people in Florida had no voice in the election, Call aroused much concern over the outcome in the Territory.

After Jackson's inauguration he gave his friend a complimentary appointment in 1829, one that required much tact and diplomacy, but one of short tenure. Call was sent to Cuba as a special agent to secure from the Spanish authorities the archives pertaining to Florida, which had never been yielded by the Royal government of Spain. While there, Call was entertained in the highest Cuban society.<sup>15</sup> His mission was only partially successful, and upon his return to Florida he received no further honors from the President. His political ambitions had been whetted and he was naturally disappointed by his forced return to private life in Tallahassee.

In 1833, the opposition to Joseph M. White as Territorial delegate rallied and asked Call to become a candidate for that office. He accepted, but White, who had held the office for

<sup>14</sup> *East Florida Herald*, October 25, 1825.

<sup>15</sup> R. K. Call Journal, 282.





six years had made many friends, and Call's attempt to win the election was futile. Call was again sorely disappointed. He wrote to Jackson that the "nullification element" defeated him.<sup>16</sup> The question of nullification had not reached Florida in any great proportions, however, and probably played little part in the election. The people of Florida were simply not ready to exchange Joseph M. White for Richard Keith Call. The next few years of Call's life were filled with bereavement and anguish. He lost five daughters, his only son, and his wife by death. Furthermore the hostile Indians of Florida began to make raids upon the innocent citizens of the Territory. Duty called, and in 1835 Call again became actively engaged in military life at the age of thirty-five.<sup>17</sup>

A few years prior to this, Call had organized a band of volunteers to help keep peace among the Indians. The red men had begun to get restless, and Call had sensed the need for protection. With the outbreak of depredations in 1835, Call and several hundred mounted volunteers marched to Fort Drane on the Withlacoochee River, in Middle Florida, where they were joined by General Duncan Clinch on December 15. A battle ensued on December 31, 1835, known as the Battle of Withlacoochee. It was the first organized battle of the Seminole War. Osceola, the shrewd Indian chieftain, had heard that the white army was attempting to corner him in the swampy lands around the river, and defeat him decisively before he could escape to a better fortified territory. He had only 250 warriors with him in the swamp, but he decided to intercept the white army as it attempted to cross the river to the southeast bank where he and his warriors were situated. Realizing that he was many times outnumbered, Osceola arranged his men in ambush at the ford of the river where he expected the whites to cross. But General Clinch, who knew

<sup>16</sup> *Ibid.*, 283.

<sup>17</sup> *Ibid.*, 284.



W/6  
Tallata, Nov 5<sup>th</sup> Oct 1842

Dear Sir

Your letter of May last found me con-  
vinced to my loss with a severe attack of  
fever, from which I did not recover for  
several months. Since then it has been accidentally  
and has not remained unaltered.  
I hope this will be a sufficient apology for  
my neglect.

Very Respectfully

Yours etc. B

R. R. Gould

Wm Lewis J. Esq

I regret that I cannot send you  
the signature of either J. or E. or C. or  
D. or

R. R. Gould  
Gov. of Florida

Courtesy T. T. Wentworth, Jr.

Letter from Governor Call



## GOVERNOR CALL, A JACKSON SATELLITE

Indian tactics, ferried his men across the river some distance north of the ford, and surprised the waiting Indians by an attack on their flank. Here on the south side of the river, in the thick hammock and scrub land of the Withlacoochee River, a fierce battle raged for several hours. Finally the Indians withdrew to safety in the thick swamp lands farther south. The battle was fought without the aid of General Call's volunteers, for very few of them crossed over to take part in the battle. Some accounts say that 460 volunteers under Call were spectators of the battle from across the river, and that only twenty-seven crossed the river to join Clinch. Call was bitterly criticised by the people of Florida for not rendering Clinch more aid. He was accused of ordering his men to stay on the safe side of the river and not to cross over and take part in the conflict.<sup>18</sup>

Clinch returned with his regular army to Fort Drane after the battle, while Call and his volunteers retired to their homes. Call spent the next few years trying to explain his action in the Battle of Withlacoochee. Clinch and others of the regular army were very bitter toward Call, but no official criticism was registered with the War Department since he commanded only a band of volunteers. After this incident the volunteers were never held in much respect by the regular army. The newspapers took up the story, and made life miserable for General Call. His friends and fellow-volunteers took his side of the argument, and most of the volunteers vowed that they could not possibly have crossed the river at the particular point where the battle was fought. On December 7, 1837, while the controversy still raged, N. P. Hunter wrote to Call as follows:

In reply to your question whether you gave an order prohibiting the men from crossing and joining in the fight, I must

<sup>18</sup> J. T. Sprague, *Florida War*, 92 ff. Also found in *Pensacola Gazette*, January 30, 1836.





## FLORIDA DURING THE TERRITORIAL DAYS

say that I heard no such order, and if one had been given, I must have heard it, as I was near you the greater part of the time, until Genl. Read came to the opposite bank of the river and called to you, "Come over, or they will all be lost." I heard you frequently order and encourage the men to cross over to support those who were engaged on the opposite side. . . . But this was found utterly impossible and abandoned. The bank was so precipitate that a horse after taking a few steps would plunge into swimming water, and carry himself and rider almost under, wetting arms and amunition. . . . The reason assigned by Genl. Clinch why the volunteers did not cross over the river and join in the fight, namely, that they were prevented from doing so by your order. . . . I know to be extremely erroneous, and the main reason . . . was the utter impossibility of crossing the river with the means provided.<sup>19</sup>

Despite severe censorship and criticism by the people and the newspapers over the Withlachoochee affair, Richard Keith Call remained in the front ranks of political and military life in the Territory. His banner year in public life was 1836. Andrew Jackson was still President of the United States and, while he had not been hasty in placing Call in any permanent high ranking office, he had not forgotten his friend. Much to the displeasure of Call's many enemies, Jackson appointed him Governor of Florida on March 16, 1836.<sup>20</sup> Call wanted the governorship but hated to relinquish his position as Brigadier-General to his successor, Leigh Read. Hardly had Call become acquainted with his new duties before he again turned his attention to the Indian hostilities. Feeling that the armed forces needed his leadership, he yearned for the battlefield. Before being appointed to the governorship, Call wrote to Jackson: "I would be highly gratified to command the army and believe I could soon bring the war to a close."<sup>21</sup> After all, his greatest

<sup>19</sup> R. K. Call Journal, 317-348.

<sup>20</sup> Jackson to Call, March 16, 1836, Florida Territorial Papers.

<sup>21</sup> R. K. Call Journal, 384.



desire was to be an outstanding military leader. He kept the matter constantly before the President. He all but begged Jackson to give him command of the Florida Army. One of his letters reads, "Nothing have I so much desired as to have the direction of the Florida War. . . . The sooner I am placed in command, the sooner I shall be prepared for the field. . . ." <sup>22</sup> Finally in May, 1836, less than two months after he was appointed governor, Call received the following message from the War Department:

Should General Scott leave or have left the Territory, and should Genl. Clinch not continue in office, you are then authorized to assume command of the Regular forces and militia serving in Florida, and to employ the same in the best manner for the defence of the country, and the speedy subjugation of the Indians.<sup>23</sup>

Governor Call, meanwhile, had been making elaborate plans for a summer campaign against the Indians, which he hoped would end the war. He was therefore deeply gratified and overjoyed with the word that he was to take command of all the Florida forces in case Scott and Clinch left. Both of these generals had become disheartened with the prosecution of the war, and were on the verge of leaving the Territory when Call received his order. Scott left immediately, and Clinch, who was at that time in St. Marys, Georgia, resigned his command on June 18, 1836.<sup>24</sup> Call assumed command at once since he had already been ordered to do so by Secretary of War Lewis Cass.<sup>25</sup> Call's joy knew no bounds. He was not only governor of Florida but also commander of the Florida forces.

There is no doubt of Call's sincerity and of his honest efforts to rid Florida of the Indian menace. The continued depreda-

<sup>22</sup> R. K. Call War Department Correspondence, June 1, 1836, Call Collection.

<sup>23</sup> Cass to Call, May 25, 1836, War Department Military Book.

<sup>24</sup> Clinch to Cass, June 18, 1836, Secretary of War Document Files.

<sup>25</sup> *Florida Herald*, July 2, 1836.





## FLORIDA DURING THE TERRITORIAL DAYS

tions aroused within him a fiery passion to avenge each hostile act committed by the Seminoles. He convinced the War Department that a summer campaign would result in a successful termination of the war, and he was given the authority to raise several thousand volunteers in Florida.<sup>26</sup> In addition, the governor called upon Tennessee, Georgia, South Carolina, and other southern states to send volunteers to Florida's aid.<sup>27</sup>

But Call's summer campaign plans met with every reversal imaginable. His enemies in Washington opposed him, and the many jealousies and hard feelings that existed in Florida were thrown in his way. His volunteers became dissatisfied because he could not secure their pay, and Call had to resort to a draft to raise men for the defense of their own homes. The Tennessee volunteers, on whom he had relied so heavily for the summer campaign, did not arrive until the middle of September, and that delay caused further embarrassments. General Call's ability came in for criticism when the post at Micanopy was abandoned to the Indians in the late summer of 1836. Micanopy was only ten miles from the all-important post of Fort Drane, and after the loss of the outer defense, the fort soon fell into the possession of the Indians.<sup>28</sup>

The belated summer campaign got under way on September 19 when General Call marched with the Tennessee brigade from Tallahassee to Suwannee or Old Town. From there they marched to Fort Drane and reoccupied that important post.<sup>29</sup> After a short stay there, and a number of skirmishes with the Indians, Call and his brigade pushed on toward the Withlacoochee River, where he hoped that contact with the Indians could be made. Meanwhile General Leigh Read had

<sup>26</sup> Cass to Call, June 18, 1836, War Department Military Book. Also *Florida Herald*, July 9, 1836.

<sup>27</sup> *National Intelligencer*, August 2, 1836.

<sup>28</sup> R. K. Call Journal, 386-388.

<sup>29</sup> Letter Book, September 23, 1836, Call Collection.





been sent to establish a supply depot near a proposed place of encampment on the river, but when Call arrived at the given point with his soldiers they found no such station. After searching in vain for Read and the food supplies which he was supposed to bring, Call commanded the brigade to return to Fort Drane on October 17, for food and other provisions were almost exhausted. The incident was embarrassing for Call, for he was responsible for the expedition into the Withlacoochee swamp. The Withlacoochee swamp had been the scene of his earlier defeat, and the retreat to Fort Drane, despite the dire need of supplies, was certain to give rise to further adverse talk. More in fault than Call, however, was Read, who had failed to establish the food depot at the right time.<sup>30</sup>

The futile expedition was ill-timed and badly planned, and was condemned by the authorities. Some officials felt that the Indians could easily have been defeated had Call pushed on into the swamp at that particular time.<sup>31</sup> Probably for the first time in his life, Andrew Jackson angrily criticised Call's action. He is reported to have said that he wished the Indians would murder every man in Florida, so that the women might get new husbands and raise children equal to the defense of their territory.<sup>32</sup> Call was mortified and embarrassed, so much so that he became weary and ill of the task assigned to him. The command was promptly taken from Call, and given to General Thomas S. Jesup. Benjamin F. Butler, Secretary of War *ad interim*, wrote Jesup on November 4, saying that the "retrograde movements of Governor Call . . . have for a time suspended offensive operations." Butler referred to the feeble state of Call's health, and explained that the campaign against the Indians would require the "promptitude and energy which the crisis demands. The President has therefore deter-

<sup>30</sup> R. K. Call Journal, 393-394.

<sup>31</sup> *Ibid.*, 404.

<sup>32</sup> *Ibid.*, 405.



## FLORIDA DURING THE TERRITORIAL DAYS

mined to commit to you the command of the army serving in Florida, and the general direction of the war against the Seminoles. . . .”<sup>33</sup>

Call's removal from command of the army came as an insult rather than a punishment, and resulted in a heated correspondence with the War Department, of which Joel R. Poinsett was Secretary. For a matter of record, Poinsett wrote to Call for the full details of his abandoned campaign, but the governor lost his temper and overlooked entirely the reason for the inquiry. He treated it as a censure for presumed misconduct, and refused to cooperate in giving the details. Since he refused to communicate directly with either Poinsett or the President, there was more reason than ever to believe that he was at fault.<sup>34</sup> Call's pride was deeply injured by his removal and his sullen actions were a result of that fact alone. Realizing that Call was a very sensitive person, and that his recent actions were not those of a normal person, President Jackson attempted to arbitrate matters immediately before leaving the presidency. In January, 1837, he explained to Call through the War Department that "it was originally designed and so made known to you at an early day, that the command should be taken by General Jesup on his arrival in Florida." He further explained that he was anxious for Call's health, and felt that a rest was for his own benefit.<sup>35</sup> Call's stubbornness still prevailed, and he insisted upon a court of inquiry, but the President thought that was unnecessary. Because he valued Call's friendship, Jackson regretted that the unpleasantness had occurred, but the temperamental governor nursed the grievance and finally let it carry him from the ranks of the Democrats, though he denied his break with the party.<sup>36</sup>

<sup>33</sup> Butler to Jesup, November 4, 1836, War Department Military Book.

<sup>34</sup> Compiled correspondence between Call and War Department November, 1836, through January, 1837, War Department Military Book.

<sup>35</sup> Jackson to Call, January 14, 1837, War Department Military Book.

<sup>36</sup> Daisy Parker, "R. K. Call, Whig Leader," *loc. cit.*, 12.





When Martin Van Buren succeeded Jackson in 1837, the controversy reached a new peak of intensity. Governor Call exposed Van Buren's lukewarm interest in the Florida War, and the incompetence, as he called it, of Poinsett, the Secretary of War. It was not surprising that Call became an enemy of the Van Buren administration and a target of much criticism from Washington.<sup>37</sup> Finally in 1839, Van Buren asked Call to relinquish his duties as governor of the Territory, although he had been assured of another three-year appointment. The President gave as his reasons for rescinding the appointment, first, that Call had taken too active a part in national politics; second, that many citizens of Florida had asked for his removal; and third, that his ridiculous course in the war called for his removal from public life.<sup>38</sup>

Call became exceedingly bitter toward Van Buren and the Democratic administration, and in the coming presidential election gave his whole-hearted support to William Henry Harrison, candidate of the Whig party. Floridians watched with interest the rising popularity of the "Log Cabin and Hard Cider" candidate despite their inability to vote in the election. Call spent three months in the northern states during the summer of 1840 making political speeches against Van Buren.<sup>39</sup> He could not forget the treatment he had received from the President and his cabinet. He continued to call himself a Democrat but others looked upon him as a Whig: Call's future career in politics in Florida was thereby ruined. Shortly after the election, Call wrote:

I am a democrat, such as democrats were under the administration of Mr. Madison, but I have adopted none of the heresies of modern democracy, especially those of Florida.

<sup>37</sup> R. K. Call, War Department Correspondence, January 17, 1838, Call Collection. Found also in Ellen Call Long, *History of Florida*, 296.

<sup>38</sup> Correspondence included in Reid to Secretary of State, December 10, 1840, State Department Miscellaneous Letters.

<sup>39</sup> E. C. Long, *History of Florida*, 150.





## FLORIDA DURING THE TERRITORIAL DAYS

I am no disorganizer of the moral formation of society, I am no repudiator of the public faith. I am no believer that the baptism in this newly revealed democracy, redeems from all moral and political sin. . . .<sup>40</sup>

Call received very little support from the people of the Territory in his campaign for the Whigs. The *Pensacola Gazette* exclaimed after the election was over: "The election for President is all over but the shouting, and for our part we feel very little inclined to take part in this."<sup>41</sup> As was expected, much of Call's popularity was gone, but the Whigs in Florida boosted him as the leading Territorial citizen.<sup>42</sup> He realized that he was finished with the Democrats in Florida, and it was only in that party that one might have political success.

Meanwhile Robert Raymond Reid, Judge of East Florida, was appointed Call's successor. The new governor, a South Carolinian by birth who had later moved to Georgia, received the appointment through the influence of Joel R. Poinsett. Reid was heartily welcomed by the Democrats of the Territory, who by 1839 were thoroughly disgruntled and dissatisfied with the conduct of Call. Reid followed a more conciliatory course toward the national administration; hence he received more cooperation from Washington. But the Indian problem was no nearer being solved by Reid than by Call. In fact, Reid showed such poor judgment about the war and methods of defense that he was rebuked by many of his so-called followers. Tallahassee citizens became angry when he took soldiers out of action against the Indians and stationed them in the city. They charged that he did this in order to create a military despotism in the capital city.<sup>43</sup> Many newspapers throughout the South condemned Reid; among the

<sup>40</sup> *Ibid.*, 154.

<sup>41</sup> *Pensacola Gazette*, November 21, 1840.

<sup>42</sup> Daisy Parker, "R. K. Call, Whig Leader," *loc. cit.*, 17-18.

<sup>43</sup> Citizens of Tallahassee to the President, August 5, 1840, State Department Miscellaneous Letters.



## FLORIDA DURING THE TERRITORIAL DAYS

policy in the Territory. When David Levy, whom Putnam called "that little Jew politician,"<sup>48</sup> won the Congressional election in 1841 from Charles Downing, Call's chances for a cooperative term dwindled rapidly. Another thing which hurt Call's second administration was the death of President Harrison, only a few weeks after the inauguration.

Vice-President Tyler, who succeeded to the presidency, followed a policy more favorable to the Democratic party than to the Whigs, despite his earlier affiliation with the latter group. With the Democratic party in power everywhere about him, Call received little cooperation from Washington or from his people in the Territory.

Among the issues with which Call had to deal between 1841 and 1844 were Indian troubles, banks, and the question of statehood. He solved none of them although he strove conscientiously to do so. His messages to the Legislative Council in 1842, 1843, and 1844 were filled with earnest pleas for cooperation among the political factions in the Territory.<sup>49</sup> But Call was never again effective or influential with the people of Florida. He was succeeded in 1844 by John Branch. After a year of inactivity, Call ran for the office of governor on the Whig ticket in the newly created state of Florida in 1845, but was defeated by William D. Moseley, a Democrat.<sup>50</sup>

Call played an important role in the development of Territorial Florida, but he lost in the game of politics. From the beginning, he showed little aptitude as a finished politician. He gained most of his political offices through his friendship with Andrew Jackson. He lost his Democratic standing through his hostility to Martin Van Buren. Call had many close personal friends, yet many bitter enemies. His disposition was such that after he had formed a dislike for a man, there was never any

<sup>48</sup> *Ibid.*

<sup>49</sup> *Journal of the Proceedings of the Senate of the Territory of Florida*, 4 Session (1842), 8; *ibid.*, 5 Session (1843), 13; *ibid.*, 6 Session (1844), 7.

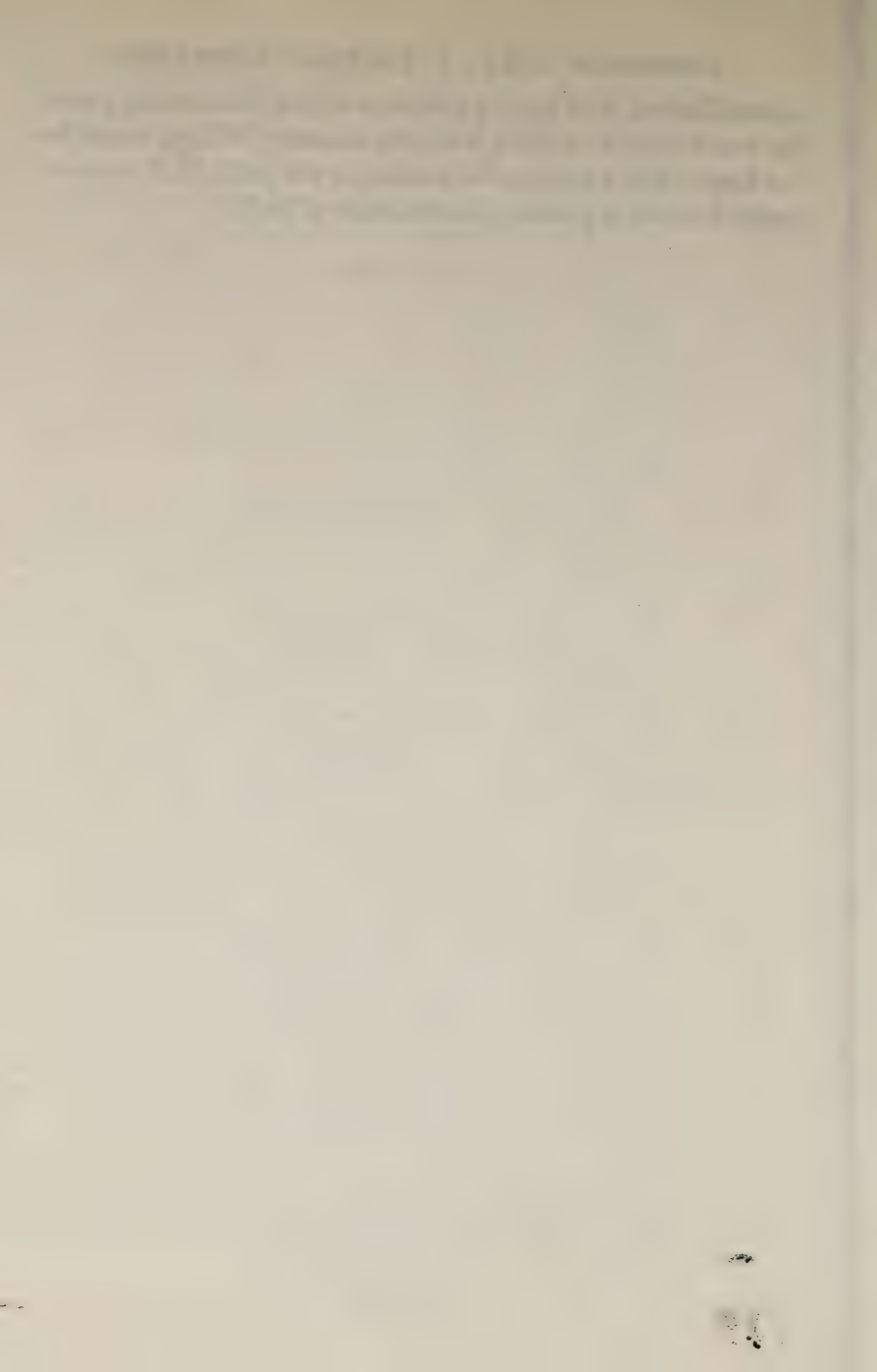
<sup>50</sup> *Pensacola Gazette*, July 5, 1845.



## GOVERNOR CALL, A JACKSON SATELLITE

reconciliation. And having broken with the Democratic party, he was forced to affiliate with the minority Whigs; hence he no longer had a chance for success at the polls. Call was virtually inactive in politics the remainder of his life.





## *Chapter XII:* THE COMING OF STATEHOOD, 1845

ARTICLE SIX OF THE TREATY OF CESSION OF 1821 PROVIDED THAT Florida should be admitted as a state in the Union "as soon as may be consistent with the principles of the federal constitution."<sup>1</sup> Statehood enthusiasts in the Territory hoped for early entrance into the Union, but at the same time they were aware of the fact that any state coming into the Union was required by the Constitution to have 30,000 inhabitants. This was the number required for one member of the House of Representatives and the Territorial population was below that figure. In 1830 Congress passed an act raising the number of inhabitants to 47,700. There was still hope, because Florida was growing and might soon reach that number. However, Congress was not required to admit a territory, even with the requisite population, nor could that body be compelled to explain its reasons for refusing statehood to any given territory. This fact dimmed Florida's chances for early admission into the Union.<sup>2</sup>

Like most of the southern states, Territorial Florida was split by intra-territorial sectionalism which no doubt caused Congress to delay action for statehood. At first East and West Florida struggled for supremacy; later, as Middle Florida was settled, the conflict was between the three sections. The fight centered around three major issues. These were: first, the location of the seat of government, a problem closely tied

<sup>1</sup> Hunter Miller (ed), *Treaties*, III, 17.

<sup>2</sup> *Pensacola Gazette*, March 4, 1837.



in with the inter-city rivalry of St. Augustine in East and Pensacola in West Florida; second, economic and commercial rivalry, and the fact that West Florida was geographically and commercially more closely tied in with Alabama than with East Florida; and third, the question of the admission of Florida into the Union as one or two or more states. Middle Florida, after the new city of Tallahassee became the capital, served as a sort of balance-wheel between East and West Florida. Generally speaking, Middle Florida pursued a wise course, whereas the policies of East and West Florida were sometimes radical.

No issue in Territorial politics had such widespread and far reaching repercussions as did the sectional controversy over the division of the Territory. By nature East Florida had very little in common with West Florida. No great amount of trade or intercourse took place between these two sections because transportation and travel were slow and uncertain; it took thirty days for mail to pass between St. Augustine and Pensacola.<sup>3</sup> St. Augustine was jealous of any town or section that might detract from her prominence and prestige. Such an attitude was natural because St. Augustine had long been the seat of government under the Spanish, and the principal city of the entire Territory. With the coming of new influences and widespread interests the ancient capital was overshadowed by the growth of other places. "Instead of rejoicing," commented the *Pensacola Gazette* in 1840, "in the prosperity and increasing population of Florida, and the near approach of that day when she may assume the position of an independent state—St. Augustine sighs for the return of those days when she was all of Florida, and all of Florida was comprised in her."<sup>4</sup>

West Florida began to consider herself the favored section as early as 1821 when Andrew Jackson fixed his office of mili-

<sup>3</sup> *St. Augustine News*, June 19, 1840.

<sup>4</sup> *Pensacola Gazette*, January 1, 1840.



## FLORIDA DURING THE TERRITORIAL DAYS

tary governor of East and West Florida at Pensacola. Only a branch executive office was established at St. Augustine. The union of East and West Florida took place under William P. Duval in 1822, and the first session of the Legislative Council was held in Pensacola. St. Augustine could no longer restrain her wounded feelings. She complained about the distance her delegates had to travel in order to attend the Council, and gave evidence of dissatisfaction at having to be united with a section of the Territory 400 miles away. In an attempt to appease East Florida, the Legislative Council held its second session in 1823 at St. Augustine. West Florida then became disgruntled, because of the sudden favor shown to the ancient East Coast city. Obviously, the controversy could be settled only by the selection of a neutral site as the seat of government. Tallahassee was built in 1824, but East Florida and West Florida did not forget their sectional grievances.

West Florida very early began to court the favor of Alabama in the hope that someday she might be absorbed by that state rather than have to remain attached to East Florida. In fact, there was much in common between West Florida and Alabama: their climate was similar; they raised many crops which caused them to have a common interest in agriculture; rivers rising in Alabama ran through West Florida on their way to the Gulf; and towns on the Florida Gulf Coast served as trading centers for the interior of Alabama.

Alabama added fuel to the argument when her Legislature in December, 1821, petitioned Congress for permission to annex all the Territory of Florida west of the Apalachicola. The petition maintained that it was for the best interest of the people concerned that such a step be taken, and that the inhabitants of Alabama would not be satisfied until they had acquired that part of West Florida.<sup>5</sup> Congress did not grant the

<sup>5</sup> Alabama Legislature to Congress, December 18, 1821, House of Representatives Files.





petition but West Florida was strengthened in her desire to bring about a division of the Territory at either the Suwannee or the Apalachicola River. West Florida herself was divided on the matter because a majority of the new settlers were heartily in favor of the Alabama proposal. The older residents, many of whom were Spanish, preferred to maintain the status quo. The Spanish group resented the efforts of Alabama to tear the Territory asunder and joined those in Middle Florida in their efforts to hold Florida together. In the early part of 1822 they sent a petition to Congress asking that the Alabama proposal be rejected. The petition pointed out the need of the two sections of Florida for each other, and mentioned the unity that might exist if only East and West Florida co-operated.<sup>6</sup>

It was no secret, however, that East Florida was determined to sever connections with her western neighbor. On November 26, 1822, a public meeting was held in St. Augustine that drew up a petition to Congress asking for division. The petitioners contended that their meeting was connected with and concerned the welfare of the Territory as a whole, and that they would not be satisfied until they had completely freed themselves from West Florida.<sup>7</sup>

Congress took no action but on January 28, 1823, the inhabitants of St. Augustine again petitioned Congress pleading that Florida be divided into two separate governments. This petition was introduced by J. M. Hernandez, Florida's delegate to Congress.<sup>8</sup> The *Pensacola Gazette* opposed the petition, whereupon the *East Florida Herald* of St. Augustine opened fire on the West Florida newspaper and urged outright and immediate division. The *Herald* implied that West Florida was a hindrance to progressive East Florida, and that West

<sup>6</sup> People of West Florida to Congress, February 23, 1822, House of Representatives Files.

<sup>7</sup> *St. Augustine News*, June 19, 1840.

<sup>8</sup> *Ibid.*



## FLORIDA DURING THE TERRITORIAL DAYS

Florida would be more beneficial to Alabama with its sea-coast than it was to East Florida. The *Herald* minced no words in telling the western section that the union of West Florida with Alabama would be received with enthusiasm in East Florida generally and in St. Augustine particularly.<sup>9</sup> Naturally such views increased the dissatisfaction of the peoples of West Florida.

The founding of Tallahassee and the rapid growth and development of Middle Florida caused old Territorial animosities to die down, at least temporarily. Occasionally a bitter word was uttered or a sharp thrust was made at an opposing section in the columns of the weekly newspapers, but people were beginning to hope for a peaceful union between East and West Florida. And the day when a united Florida would be admitted to the United States was eagerly anticipated by the people in all three sections. But as the prospects for statehood became more certain, the people of East Florida again voiced their sectional views and declared that they wanted no part in the movement. They asserted that they wanted peace, and that could come only through a separation from West Florida. Their chief argument was that East Florida was a poor section, and since the Federal government provided well for the Territory, there was no reason for the people of Florida to support an expensive state government.<sup>10</sup>

In 1838, the citizens of St. Augustine began to agitate the division controversy as much as ever, and with more force than before. A petition bearing signatures of many old East Florida families, including D'Ancy, Smith, Davis, Hanson, Sanchez, and Segui and protesting against continued union with West Florida, was drawn up on February 5, 1838. There is no doubt but that it represented the feelings of the great majority of the citizens of East Florida. The memorial cited

<sup>9</sup> *East Florida Herald*, April 12, 1823.

<sup>10</sup> *Ibid.*, April 17, 1837.





the great distance between Pensacola and St. Augustine, and also recalled the fact that from the days of the Spanish occupation the two towns had been capitals of distinctly different provinces. Furthermore the committee which drew up the memorial declared that Tallahassee was a most unsatisfactory place for a capital, since it was 250 miles from extreme West Florida, 750 miles from extreme East Florida, and 200 miles from the nearest point on the Atlantic. In fact the governmental setup in Tallahassee had not been satisfactory to East Florida since the very beginning.<sup>11</sup> The people of Tallahassee naturally resented the uncomplimentary remarks aimed at her in the petition, and as a result, Middle Florida immediately took sides with West Florida against East Florida. Within a few months the movement for division had gained momentum. The Jacksonville weekly newspaper, *The Courier*, aligned itself with the *St. Augustine News* (the successor of the *East Florida Herald*) in support of the proposed division. Middle and West Florida believed that the East Florida leaders had some connection with the nullificationists of South Carolina. The editor of the *Pensacola Gazette* went so far as to compare the Florida situation to the nullification movement in South Carolina.<sup>12</sup>

The movement for a division of the Territory became involved in politics in 1838 when the *St. Augustine Herald* declared that Colonel Charles Downing, who was seeking reelection the following year as congressional delegate from Florida, was one hundred per cent for division of the Territory. The *Pensacola Gazette* lost no time in replying. It declared: "We are sorry to hear it. It is not to be denied that Florida has a most unfortunate geographical conformation, but if Colonel Downing is for separation we venture to predict

<sup>11</sup> Citizens of St. Augustine to Congress, February 5, 1838, House of Representatives Files.

<sup>12</sup> *Pensacola Gazette*, August 18, 1838.





## FLORIDA DURING THE TERRITORIAL DAYS

that at the next election the Territory will not be for him." <sup>13</sup> In the ensuing campaign Downing did not agitate the question; in fact, he had very little to say about his views on the division controversy, but he was re-elected and St. Augustine considered it a major victory for East Florida and the divisionists.<sup>14</sup> But if the re-election of Downing was a victory for the divisionists, the ratification of the Territorial constitution at the same election was a more clearcut victory for West Florida and the advocates of statehood.

The advocates of statehood vehemently opposed the divisionists because a division in the Territory would unquestionably postpone for many years Florida's entrance into the Union. Both factions urged their views on Congress. On January 11, 1839, a special committee of the Territorial constitutional convention petitioned Congress to admit Florida into the Union immediately.<sup>15</sup> This petition was balanced by one from the opposing faction asking that the Territory be divided into two parts. The memorial asking for division was presented by the Legislative Council, many of whom had not been members of the constitutional convention. It was signed by some who had previously been opposed to Territorial division, but had changed their views because of the slavery issue. Their petition declared that "the necessity of keeping up the balance of power [between the slave and free states] renders this division extremely interesting to the whole South." <sup>16</sup>

The slavery issue made a strong appeal to a large number of people in Florida as well as to many throughout the South. The divisionists realized that this was their strongest card.

<sup>13</sup> *Ibid.*, August 25, 1838.

<sup>14</sup> *St. Augustine News*, May 11, 1839.

<sup>15</sup> Constitutional Convention to Congress, January 11, 1839, House of Representatives Files.

<sup>16</sup> Legislative Council to Congress, January 31, 1839, House of Representatives Files.



## THE COMING OF STATEHOOD, 1845

They sought aid from the southern states to convince Congress that Florida would be greatly benefited by division into two territories, for two territories would ultimately mean two new states devoted to the institution of slavery. And the two states would help to maintain the balance between the northern and the southern states.<sup>17</sup>

Petitions poured into Congress from both sides. Those from West and Middle Florida pleaded for unity, but those from St. Augustine implored Congress "to grant to East Florida her ancient birthright—Division—independent to the policy or action of the Middle and West. . . . The God of nature has made the Suwannee river the dividing line. . . ." <sup>18</sup>

During the early months of 1840 it looked very much as if East Florida were winning the argument. Indications pointed to an early division of the Territory; therefore, West Florida began to take steps to insure her own entrance into the Union. She remembered that in 1821 Alabama had asked her to join that state, but no action had been taken at that time. Many West Floridians favored the idea; and a large number of citizens gathered in Pensacola on May 25, 1840, and drew up a memorial asking Congress to join West Florida with Alabama. West Florida was determined never to become a separate Territory that would be left dangling only a few miles in depth between the Suwannee and Perdido rivers. The petition of the West Floridians argued: (1) Since all the rivers of West Florida rose in Alabama, the people of Alabama should have the right of unrestricted trade through the Gulf towns of West Florida. (2) A union of West Florida and Alabama would be in perfect accord with the Treaty of Spain. (3) West Florida's industrial development would be greatly advanced through union with Alabama. (4) A union of West Florida and Ala-

<sup>17</sup> Citizens of Mississippi to United States Senate, February 14, 1840, State Department Miscellaneous Letters.

<sup>18</sup> Several hundred East Floridians to Congress, April 22, 1840, House of Representatives Files.





## FLORIDA DURING THE TERRITORIAL DAYS

bama would enable East Florida to enter the American Union whenever she wished, thereby solving the long agitated controversy.<sup>19</sup>

Influenced by the petitions and memorials, a Congressional committee finally introduced a bill for the division of the Territory. A showdown was now at hand. Congress debated the measure at length, but the divisionists gradually lost ground. In fact, they never had much strength in Congress, and their influence in Florida was on the wane. The division bill was defeated in 1840.<sup>20</sup> However, some time later sentiment was expressed in Congress that after Florida had become a state she might, through her state legislature, secure division.<sup>21</sup> This made it certain that Congress would not consent to division before statehood.

Meanwhile the Legislative Council had taken definite steps to solidify statehood feelings within the Territory. It passed an act on February 2, 1838, calling a convention to meet at St. Joseph "to adopt a bill of rights and constitution and all needful measures preparatory to the admission of Florida into the national confederacy."<sup>22</sup>

The selection of St. Joseph as the convention city was a compromise between East Florida and West Florida. Pensacola was most anxious for the convention, while St. Augustine had the feeling that she should be given the honor because of her age. Tallahassee, too, wanted the convention; but that city was losing some of its popularity as a capital site and had very little support. St. Joseph was only about three years old, but was near the middle of the Territory, and was as easily accessible to all sections of Florida as any other town. It was connected with the interior by a stage line, was not far from the

<sup>19</sup> Citizens of West Florida to Congress, May 25, 1840, House of Representatives Files.

<sup>20</sup> *Congressional Globe*, 20 Congress, 1 Session, 112.

<sup>21</sup> *House Reports*, Number 577, 28 Congress, 1 Session, 3.

<sup>22</sup> J. P. Duval, *Compilation of Florida Territorial Laws*, 230.





## THE COMING OF STATEHOOD, 1845

Apalachicola River, and had promise of developing into one of Florida's leading towns. Many new developments were undertaken by the people of St. Joseph shortly after its selection was announced. Several new boarding houses and hotels, including the Pickwick, Byron, and Shakespeare, were constructed, new boats were added to the boat lines serving the town, and a convention hall was constructed. St. Joseph left nothing undone in her effort to make the visitors feel that the right town had been chosen for the convention.<sup>23</sup> The selection of St. Joseph was a bitter disappointment to many political leaders. Some of them threatened to move to adjourn the convention after the opening session and reassemble at Tallahassee; but the plan failed to materialize and the sessions were all held in the place designated by the Council.<sup>24</sup>

The convention was advertised throughout the Territory and, when the morning of December 3, 1838, arrived, St. Joseph was filled with visitors and delegates. The *Apalachicola Gazette*, whose editor was present on the opening day, said:

The city of the Saints presented quite a hustling appearance this morning. Most of the members of the constitutional convention have come in and may be seen at different corners of the streets, on the piazzas of the boarding houses, or perhaps at the Pickwick, Shakespeare, or Byron, earnestly and solemnly engaged in electioneering for the important offices of president, clerk, or doorkeeper of the convention. Great importance is attached to these posts of honor, and the fate of the future state, the lustre of the new star, mainly depends upon the judicious choosing of the different occupants. For President of the convention I have heard of but two candidates announced—Governor Duval of Tallahassee, and Judge Reid of St. Augustine. It would be premature at this time, to decide in whose favor the majority of the convention will decide. As usual in such cases, the friends of both parties are

<sup>23</sup> F. W. Hoskins, "The St. Joseph Convention," *Florida Historical Quarterly*, XIV (July, 1937), 39.

<sup>24</sup> *Ibid.*, 38.



## FLORIDA DURING THE TERRITORIAL DAYS

sanguine. At 12 m the members assembled in the new building, erected for the use of the convention by that enterprising citizen of this city, Col. E. J. Wood, and proceeded to the organization of their body by calling Col. Morton, of Escambia, to the chair, and appointing Col. Fitzpatrick secretary.<sup>25</sup>

The convention was formally opened with prayer by Reverend Peter W. Gautier. Immediately after the prayer a committee on credentials was appointed, and it was found that fifty-six delegates had been duly elected to the convention.<sup>26</sup> They represented all classes of people in the Territory—farmers,

<sup>25</sup> *Apalachicola Gazette*, December 8, 1838.

<sup>26</sup> Richard H. Long (ed), *Journal of the Proceedings of a Convention of Delegates to form a Constitution for the People of Florida*, 3-4. Cited hereafter as *Journal of Convention*. The delegates were as follows:

*Leon County*: George T. Ward, John Taylor, Thomas Brown, Sam Parkhill, James D. Westcott, Leigh Reed, Leslie A. Thompson and William Wyatt.

*Monroe County*: William Marvin and Joseph B. Brown.

*Jefferson County*: Abraham Bellamy, John Partridge, Joseph McCants, and E. Carrington Cabell.

*Dade County*: Richard Fitzpatrick.

*Madison County*: John C. McGehee and Richard J. Mays.

*Walton County*: John L. McKinnon, Daniel G. McLean.

*Hamilton County*: Joseph B. Watts and William B. Hooker.

*Washington County*: Stephen J. Roche, and E. Robbins.

*Gadsden County*: Banks Meacham, John W. Malone, Samuel B. Stephens, John M. B. Hunter.

*Franklin County*: A. G. Semmes and C. E. Bartlett.

*St. Johns County*: Joseph S. Sanchez, Robert R. Reid, David Levy, and Edward T. Jencks.

*Calhoun County*: William P. Duval and Richard C. Allen.

*Duval County*: A. W. Crichton, Samuel T. Garey, and Oliver Wood.

*Alachua County*: Isaac Garrison, E. K. White and E. Bird.

*Columbia County*: John F. Webb, Wilson Brooks and George E. McClellan.

*Nassau County*: James G. Cooper, William Haddock.

*Mosquito County*: William H. Williams.

*Hillsborough County*: No returns, but on December 17, William Bunce appeared as the delegate.

*Jackson County*: Thomas Baltzell, Samuel C. Bellamy, Alfred L. Wood, and Richard H. Long.

*Escambia County*: Jackson Morton, Benjamin D. Wright, Thomas M. Blount and Walker Anderson.





lawyers, doctors, teachers, and business men. Most of them were interested in statehood for Florida, though some represented the opposite view. All fifty-six delegates attended the session at one time or another before it closed in January, 1839. The second day of the convention was devoted to the election of a permanent president. William P. Duval was nominated by General Sam Parkhill, and Robert Raymond Reid was nominated by Leigh Read. Reid won the election 87 to 26, with three delegates absent. Joshua Knowles was elected secretary, and Alexander Stuart was made sergeant-at-arms. In his acceptance speech Reid said: "I indulge the hope that the results of your labors—the Constitution of Florida, will remain to late posterity, a monument of your wisdom and patriotism."<sup>27</sup>

The election of Reid was a triumph for the East Florida forces, although he did not represent the non-statehood faction of that part of the Territory. Reid worked diligently for Florida's entrance into the Union, despite the wishes of some of his constituents. Some friction, however, resulted from Duval's defeat by Reid. The former did not always cooperate with the latter in the convention.<sup>28</sup>

Reid appointed a number of committees to draft separate articles for the new constitution. Among these committees were the following: preamble, declaration, and bill of rights; executive department; legislative department; judicial department; rights of suffrage and qualifications of officers; civil offices; impeachments; militia; taxation and revenue; census; education; public domain, property and internal improvements; banking and corporation; boundaries; amendments and revisions of the constitutions; general provisions including domestic slavery; seat of government; relations with the general government and admission into the Union; and regulations and ordinances for the establishment of a state government.

<sup>27</sup> *Ibid.*, 4-5.

<sup>28</sup> *Ibid.*, 6.





## FLORIDA DURING THE TERRITORIAL DAYS

All the committees were ordered to report as soon as possible.<sup>29</sup>

Many factors served to prolong the work of the convention. While the committees submitted their reports in short order, it was difficult for the convention to reach an agreement on the constitution as a whole. The absence of many delegates at various times tended to slow up the work. In the early part of December an Indian scare in the neighborhood of St. Joseph Bay caused a number of the delegates to leave the convention. There was some fear that the convention would not complete its task, but the members rallied to the cause, and most of them worked faithfully. From December 17 until January 11, 1839, the convention was in session every day in the week except Sunday. Sessions were even held on Christmas and New Year's Day, in order that the work might be brought to a successful conclusion.<sup>30</sup>

The general framework of the constitution rapidly took shape, but controversies arose over some points. The bitterest conflict in the convention took place between the bank party and the anti-bank party. The bank party, led by William P. Duval, finally won. Duval had formerly opposed the chartering of any bank but had been warmly supported for the presidency of the convention by bank men.<sup>31</sup> The anti-bank faction led by Robert Raymond Reid and David Levy, was responsible for the clause in the new constitution which provided that "The General Assembly shall not pledge the faith and credit of the State to raise funds in aid of any corporation whatsoever." The constitution also provided that "The General Assembly shall, at its first session, have power to regulate, restrain and control, all associations claiming to exercise corporate privileges in the State, so as to guard, protect and secure the interests of the people of the State, not violating vested

<sup>29</sup> *Ibid.*, 7.

<sup>30</sup> F. W. Hoskins, "The St. Joseph Convention," *loc. cit.*, 104-106.

<sup>31</sup> *Ibid.*, 106-108.



rights or impairing the obligation of contracts.”<sup>32</sup> Hence the victory of the bank party was a limited one.

After the various differences of opinion had been ironed out and the constitution had been accepted the convention voted to submit the constitution to the people of Florida in an election on the first Monday in May, 1839. President Reid then delivered a stirring speech to the convention. Congratulating them on their faithful work, he said: “May the temple you have this day erected to liberty, long remain the honor, the safety, the protection of the People of Florida.”<sup>33</sup>

The preamble to the newly written constitution asked the Federal government to grant statehood to Florida. Such action, the preamble declared, was consistent with the principles of the treaty with Spain. Furthermore, “The people of Florida, by their delegates in convention assembled . . . in order to secure to themselves and their posterity the enjoyment of all the rights of life, liberty and property, and the pursuit of happiness, did mutually agree, each to the other, to form themselves into a free and independent State, by the name of the State of Florida.”<sup>34</sup>

The constitution contained many interesting and unique features. It prohibited the legislature from issuing faithbonds; made challenging or fighting a duel a disqualification for office holding; denied ministers of the gospel eligibility for the governorship or seats in the legislature; gave the legislature authority to move the capital from Tallahassee after five years; and authorized the legislature to continue a policy of internal improvements.<sup>35</sup> Most of the Territorial leaders approved the constitution, but there was much opposition to both the constitution and statehood.<sup>36</sup> The anti-statehood group became

<sup>32</sup> R. H. Long (ed), *Journal of Convention*, 101-110.

<sup>33</sup> *Ibid.*, 115-118.

<sup>34</sup> *Ibid.*, 120.

<sup>35</sup> *Ibid.*, 121.

<sup>36</sup> R. H. Rerick, *Memoirs*, I, 170.





## FLORIDA DURING THE TERRITORIAL DAYS

active, particularly in East Florida, and began to organize for the referendum election. Middle Florida was as vigorous in urging ratification as East Florida was in opposition. West Florida was divided, but a majority cast their lot with the statehood group. On election day St. Augustine rejected the constitution by a vote of 224 to 24. The editor of the *St. Augustine News* jumped to a hasty conclusion and proclaimed that the constitution had been defeated.<sup>37</sup> The *Pensacola Gazette* was reluctant to accept the view of the *News*.<sup>38</sup> The *Apalachicola Gazette* conceded the victory of the anti-statehood or divisionist group, but expressed its violent disapproval of the action of those who had helped to defeat the constitution.<sup>39</sup>

By the second week in June, it was generally believed that the constitution had been defeated. This view was based on insufficient election returns, and efforts of the anti-statehood newspapers and the "bank Whigs," who worked for rejection of the document because of the limited provision for banking facilities. In August some of the Territorial papers announced that, contrary to prevailing belief, the constitution had been accepted rather than rejected. The final tabulation showed 2,070 for and 1,975 against the constitution. These returns were certified by Governor Call, and sent to Robert Raymond Reid, the convention president, who officially proclaimed the results.<sup>40</sup>

Many Florida citizens expected that Congress would admit the Territory into the Union at once. They saw no reason for delay, since statehood had been implied in the sixth article of the treaty with Spain in 1821. Few doubted that Congress would act favorably. The *Pensacola Gazette* declared that "If Congress passes this act for our admission, which there is little doubt but what will be done this winter, we necessarily enter

<sup>37</sup> *St. Augustine News*, May 25, 1839.

<sup>38</sup> *Pensacola Gazette*, May 25, 1839.

<sup>39</sup> *Apalachicola Gazette*, June 1, 1839.

<sup>40</sup> *National Intelligencer*, August 28, 1839.





at once upon state government under the new constitution." <sup>41</sup> But Congress was not ready for Florida's entrance into the Union, and Florida herself was not united on statehood, despite the fact that the constitution had been accepted.

Throughout 1840 and 1841 the controversy raged over statehood. Both factions flooded Congress with petitions; one pleading for entrance into the Union, the other asking that the Territory be divided and spared the duties and obligations of statehood. Congress was confused, and determined to take plenty of time in deciding the question. The slavery question played a major role in the controversy. The non-slave holding element of the North insisted that no new southern state be admitted until a new northern state could come into the Union. The balance of power should not be destroyed if harmony were to be kept between the North and the South. <sup>42</sup>

The people assembled in public gatherings to formulate petitions against statehood. In 1840 such gatherings were held in Gadsden, Jackson, Washington, Franklin, and St. Johns Counties; and in 1842 in Escambia, Santa Rosa, and Leon Counties. <sup>43</sup> In 1843, the Legislative Council voted to ask Congress to postpone statehood, and instructed the Territorial delegate to Congress to cease pushing the measure. The forces of non-statehood thought they had won the battle, but it was only a lull before the final victory for the statehood group, for the passion of those opposing statehood was fast being spent. In 1844, however, non-statehood meetings were held at St. Augustine, Palatka, and Fort King. Despite these meetings, a majority of the people of Florida had desired statehood since 1839. <sup>44</sup>

The most prominent leader of the anti-statehood group was ex-Governor William P. Duval, who had aided considerably

<sup>41</sup> *Pensacola Gazette*, December 14, 1839.

<sup>42</sup> *Ibid.*, May 21, 1842.

<sup>43</sup> Emily Porter, "Reception of the St. Joseph Convention," *Florida Historical Quarterly*, XVI (October, 1938), 109-110.

<sup>44</sup> *Florida Herald*, August 20, 1844.



## FLORIDA DURING THE TERRITORIAL DAYS

in the development of the Territory and in laying the actual foundations for statehood. After his defeat for the presidency of the Constitutional Convention, however, he became the avowed leader of the opposition. Duval argued that the people of East Florida opposed statehood, hence the Territory should be divided for their benefit. He maintained that the East Florida delegation, which helped to draw up the Constitution of 1838, did not represent the true feelings of their constituents as shown by the rejection of the document in the May election of 1839 by the voters of East Florida. Duval largely influenced the Legislative Council's action of asking Congress to postpone statehood in 1843. Another of Duval's arguments against statehood was that Florida would be unable financially to support herself if East Florida were cut off from the rest of the Territory. And there was no doubt that Congress opposed wholeheartedly a division of the Territory.<sup>45</sup>

The leading champion of statehood was David Levy, who had been elected Florida's Congressional delegate in 1841 to succeed Charles Downing, and was re-elected in 1843 over George T. Ward, the Whig candidate. Despite the fact that he resided in St. Augustine, the hotbed of the anti-statehood forces, Levy did more to rally the forces for final victory than any other man. He received many petitions, memorials, and letters from Florida asking that he work against Florida's admission to the Union, but he let no one influence him against his better judgment; and in spite of all the pleas from the opposing side, he worked faithfully for statehood. He saw that statehood under the new constitution would give Florida an opportunity to develop and prosper. The state could encourage internal improvements, construct roads, canals, and railroads much more easily than the Territorial government. As a state Florida would receive 500,000 acres of land for in-

<sup>45</sup> Emily Porter, "Reception of the St. Joseph Convention," *loc. cit.*, 116-117.





ternal improvements, and the additional school lands that had been promised her would yield an educational fund of \$2,500,000.<sup>46</sup> These things promised much for Florida, and Levy used his best efforts to convince his constituents and Congress that statehood was essential to Florida's prosperity.

Among others who worked for Florida's admittance into the Union, Governor John Branch must be given considerable credit. Branch had lived in Florida a number of years before becoming governor, having first come to the Territory in 1834 from his native state of North Carolina, where he had held many state and Federal offices including the governorship and a cabinet post. Branch bought a large tract of land in Middle Florida and moved his family to their new home in 1836; but he kept his legal residence in North Carolina for some time. He had for many years been an ardent admirer of Andrew Jackson, and as a result of that friendship was offered the governorship of Florida in 1831. He declined the honor, but when President John Tyler offered Branch the governorship of Florida on August 11, 1844, he accepted, and was the last to serve in that capacity while Florida was a Territory.<sup>47</sup>

The governorship, though Branch held it only a few months, was no sinecure. Business was in an unsound condition, the financial system had been upset, non-resident speculators were giving trouble, the protracted Seminole War had left the people weak and exhausted and the tiresome controversy over statehood was still unsettled. The new governor threw his support to the statehood group, and his aid carried considerable weight with the people and Congress.<sup>48</sup>

Branch's only message to the Legislative Council, on January 10, 1845, was chiefly concerned with "statehood and claims of Florida on the federal government for indemnity

<sup>46</sup> *Ibid.*, 122-123.

<sup>47</sup> Marshall D. Haywood, *John Branch*, 45.

<sup>48</sup> *Ibid.*, 46.





against Indian spoliations." The message was filled with good sense, said the *Star of Florida*.<sup>49</sup> Whether the message had much effect on the subsequent Congressional action is problematical, but it unquestionably had great effect on the Legislative Council, which for the previous two years had voted down any plan of statehood and had favored a division of the Territory.

Shortly after the Governor's message, the Council passed a resolution asking for the admission of Florida into the Union. The Council

Resolved, that our delegate in Congress be requested, in case Iowa comes into the Union, to use his utmost endeavors to procure the passage of a law admitting Florida also into the confederacy. . . .<sup>50</sup>

In order to secure full support of the divisionists, statehood enthusiasts agreed

. . . to introduce into the same a provision for the future division of the State which will secure to us the right of ultimately forming two states out of the present Territory, as was contemplated and secured to us by the Treaty of 1819 with Spain.<sup>51</sup>

The divisionist controversy thus died an honorable death. Its supporters did not give up, but Congress paid no attention to the Territorial resolution providing for the future division of the state.

Florida's Territorial period was rapidly drawing to a close, but the wait for statehood had been so long that the people were becoming weary of the controversy. Finally on February 10, 1845, a bill for the admission of Florida and Iowa into the Union was introduced in Congress. The bill in its original form carried the provision which was asked for by the Legis-

<sup>49</sup> *Star of Florida*, January 17, 1845.

<sup>50</sup> *Florida Senate Journal*, 7 Session (1845), 129.

<sup>51</sup> *Ibid.*, 130.



lative Council's resolution—that of dividing the state—but this feature was immediately stricken out. Provisions prohibiting the Florida Legislature from abolishing slavery and free Negroes from landing in either St. Augustine or Pensacola were stricken out. David Levy, Florida's Congressional delegate and probably her most prominent citizen, led the fight for the passage of the bill in the House of Representatives.<sup>52</sup> On March 3, 1845, the bill of admission became law and Florida and Iowa took their respective places in the American Union.<sup>53</sup> The Congressional balance of power between the free and slave states had not been upset.

The news of Congress' decision was received in Florida with great joy. Governor Branch immediately began to put the new machinery of government into action by calling an election of state officials. Conventions were held by the Democrats and the Whigs, and after a spirited campaign William D. Moseley, the Democratic candidate, was elected governor, and Edward C. Cabell was elected to the House of Representatives. The legislature then elected David Levy and James D. Westcott, Jr., to the United States Senate, and Florida's long wait for statehood came to an end.<sup>54</sup>

<sup>52</sup> *St. Augustine News*, March 1, 1845.

<sup>53</sup> *Statutes at Large*, 28 Congress, 2 Session, 742.

<sup>54</sup> *Senate Documents*, Number 783, 69 Congress, 2 Session, 206.



# BIBLIOGRAPHY

## I. CONTEMPORARY SOURCES

### A. MANUSCRIPT COLLECTIONS

#### (1) Collections in the National Archives:

- Domestic Letters, 1821-1845, State Department. Includes all outgoing letters from the State Department to everyone except consular and diplomatic officials.
- General Land Office, Letters from the Commissioner to the Surveyor-General, 1824-1845, Interior Department.
- General Land Office, Letters from the Surveyor-General to the Commissioner, 1824-1845, Interior Department.
- General Land Office, Minutes of the Board of Land Commissioners, 1825-1826, District of East Florida, St. Augustine, Interior Department.
- General Land Office, Miscellaneous Letters, 1824-1845, Interior Department. Letters from the Commissioners of the General Land Office to the Registers and Receivers.
- General Land Office, Records of Proclamations, 1821-1845, Interior Department. Includes all presidential proclamations in connection with the General Land Office.
- Indian Office, 1821-1845, Interior Department. Letters pertaining to all Indian affairs.
- Military Book, 1821-1845, War Department. Contains all outgoing letters from the Secretary of War.
- Miscellaneous Letters, 1821-1845, State Department. Letters to the State Department from everyone except consular and diplomatic officials.
- Secretary of War Document Files, 1821-1845, War Department. Includes all incoming letters to the War Department.
- Territorial Papers of Florida, State Department, 12 volumes, 1811-1832. Includes papers and letters directly pertaining to the Territory of Florida.





## FLORIDA DURING THE TERRITORIAL DAYS

### (2) Collections in the Library of Congress:

House of Representatives Files, 1821-1845. Contains all petitions and requests made to the House of Representatives.

Andrew Jackson Papers, 1821-1845.

Miscellaneous Papers including John H. Eaton, Richard Keith Call, and Duff Green.

James Monroe Papers, 1821-1823.

John Tyler Correspondence, 1840-1844.

Martin Van Buren Papers, 1830-1840.

West Florida Papers, 1799-1827. Documents and papers concerning transactions in West Florida.

### (3) Collections in the Southern Historical Collection, University of North Carolina:

Bellamy-Bailey Papers, 1790-1867. Scattered papers on the Bellamy and the Bailey families of North Carolina and Florida.

Charles A. Hentz Diary, 1827-1894. Personal diary, including his autobiography. Hentz lived in Florida and North Carolina.

Thomas Kenan Papers, 1837-1866. Letters concerning commercial ventures and land speculations in Florida.

Mackay-Stiles Papers, 1821-1845. Includes references to negotiations with Indians in Florida, internal improvements, education, and politics.

Whitaker-Snipes Papers, 1836. Scattered letters including life and agricultural conditions in Florida.

### (4) Collections in the Duke University Library:

David Campbell Papers, 1836-1842. Contains letters from William Bowen Campbell who was in Florida during the Seminole War.

John Rogers Vinton Collection, 1821-1845. Scattered papers and letters pertaining to Florida.

Elizabeth Gamble Wirt Papers, 1821-1845. Letters about life and conditions in Florida.

### (5) Collections in the Florida Historical Society Library, St. Augustine, Florida:

Journal of Richard Keith Call, 1821-1845. The first part of the Journal was written in 1861 by Call himself, but was finished after his death by his daughter, Ellen Call Long.



## BIBLIOGRAPHY

Richard Keith Call Papers, 1819-1865. Contains papers, letters, receipts, and newspaper clippings of the Call family.

Ellen Call Long, "A History of Florida." 1512-1865. Contains three hundred pages of hand writing. The work, which was written soon after the Civil War, was never finished.

### (6) Collections in the Florida State Library, Tallahassee, Florida:

Letter Book of Governor Richard Keith Call, April 19, 1836-September 18, 1836. Mainly concerns the Seminole War.

Governor's Letters, 1840-1845. Contains scattered letters of Reid, Call, and Branch.

Diary of Reverend Peter Haskew, 1836-1846. Gives daily account of Methodist minister's experiences while on Apalachicola Mission.

Territorial Manuscripts. Scattered collections of papers and letters pertaining to Territorial Florida, not boxed or filed.

### (7) Collections in the Florida Archives, Tallahassee, Florida:

Letters from the Commissioner to the Surveyor-General, 1824-1845. Field Note Division.

Letters from the Surveyor-General to the Commissioner, 1824-1845. Field Note Division.

Miscellaneous Letters to the Surveyor-General, 1825-1845. Field Note Division.

### (8) Collections in the St. Augustine Historical Society Library:

Dirk Fleishman Papers, 1829-1840. Letters, accounts, and reports, pertaining to property in Florida.

Diary of Robert Raymond Reid, 1833-1835. Typewritten copy made by W.P.A. Original owned by Governor Reid's great grand-daughter, Mrs. Charles F. Andrews, 627 Hawkins Street, Palatka, Florida.

Joseph M. White Papers, 1821-1826. Few scattered papers written by White.

## B. OFFICIAL RECORDS, NATIONAL AND STATE

*Abridgement of the Debates of Congress from 1789 to 1856*, 16 vols. New York: D. Appleton and Company, 1857.



## FLORIDA DURING THE TERRITORIAL DAYS

- American State Papers*, 38 vols. Washington: Gales and Seaton, 1832-1861.
- Annals of Congress*, 1789-1824, 42 vols. Washington: Gales and Seaton, 1834-1856.
- Articles of Agreement and Association of the Apalachicola Land Company*. New York: T. C. Wood, Printers, 1835.
- Compendium of the Enumeration of the Inhabitants and Statistics of the United States, as Obtained at the Department of State from the Returns of the Sixth Census, 1840*. Washington: Thomas Allen, 1841.
- Descriptive List of all Private Land Claims in East Florida which have been delivered, as confirmed, to the Keeper of the Public Archives by the Registrar and Receiver of the Land Office, Acting as Commissioner*. Jacksonville: George Shidell, Printer, 1842.
- Duval, John P., *Compilation of the Public Acts of the Legislative Council of the Territory of Florida, passed prior to 1840*. Tallahassee: Samuel S. Sibley, Printer, 1839.
- Fifth Census or Enumeration of the Inhabitants of the United States, 1830. A Schedule of the Whole Number of Persons within the Several Districts of the United States, taken according to the Act of 1790, 1800, 1810, and 1820*. Washington: Duff Green, 1832.
- Florida (Territorial) Bank Commissioners Report*. n.p. 1840. This was a report made by a group of commissioners appointed by the Governor of Florida on banks of the Territory, other than in Tallahassee.
- Forty-Second Annual Report of the Bureau of American Ethnology (1924-1925)*. Washington: Government Printing Office, 1928.
- House Executive Documents*, 1840-1845. Washington: Gales and Seaton, various dates.
- House Journals*, 1821-1845. Washington: Gales and Seaton, various dates.
- Laws of Florida*, 4 vols. Tallahassee: S. S. Sibley, Printer, various dates.
- Journals of the Florida Territorial Legislative Council*. Place and publication vary. Council consisted of one house from 1822 to 1838, of two houses from 1839-1845. There is no record





## BIBLIOGRAPHY

either in manuscript or print of any Journals of the Legislative Council before 1831. The Florida State Library has, unpublished, the proceedings from 1831 through 1835. The P. K. Yonge Memorial Collection has in printed form the proceedings from 1832 through 1845.

Long, Richard H. (ed), *Journal of the Proceedings of a Convention of Delegates to form a Constitution for the People of Florida, held at St. Joseph, December, 1838*. St. Joseph: St. Joseph Times Office, 1839.

Long, Richard H. (ed), *Laws of the United States Relative to the Territory of Florida, passed by Congress*. Tallahassee: S.S. Sibley, Printer, 1837.

*Message by William M. McCarty, Acting Governor of Florida*. Tallahassee: S. S. Sibley, Printer, 1827.

*Message from the President of the United States, transmitting a Memorial of the Legislative Council of Florida, February 3, 1823*. Washington: Gales and Seaton, 1823.

Miller, Hunter (ed), *Treaties and other International Acts of the United States of America*, 5 vols. Washington: Government Printing Office, 1931-1937.

*Senate Documents*, 1821-1845. Washington: Gales and Seaton, various dates.

*Senate Documents, Indian Affairs, Laws and Treaties*, 2 vols. Washington: Government Printing Office, 1903.

Thompson, Leslie A., *A Manual or Digest of the Statute Law of the State of Florida, Including Law of the United States Relative to the Government of the Territory of Florida*. Boston: Charles C. Little and James Brown, 1847.

*United States Statutes at Large*, 1821-1845. Boston: Charles C. Little and James Brown, various dates.

### C. CORRESPONDENCE AND MISCELLANEOUS WORKS

Bassett, John Spencer (ed), *Correspondence of Andrew Jackson*, 5 vols. Washington: The Carnegie Institute, 1921-1936.

Campbell, William, *Report on the Alabama, Florida, and Georgia Railroad*. Tallahassee: E. G. Dorsey, Printer, 1838.

Chazotte, Peter Stephen, *Facts and Observations on the Culture of Vines, Olives, Capers, Almonds in the Southern States and of Coffee, Cocoa, and Cochineal in East Florida*. Philadelphia: J. Maxwell, Printer, 1831.



## FLORIDA DURING THE TERRITORIAL DAYS

- Cohen, M. M., *Notices of Florida and the Campaigns*. New York: B. B. Hussey, 1836.
- Douglas, Thomas, *Autobiography of a Late Judge of the Supreme Court of Florida*. New York: Calkins and Stiles, 1856.
- Eaton, Peggy, *The Autobiography of Peggy Eaton, With a Preface by Charles F. Deems*. New York: Charles Scribners' Sons, 1932.
- Fairbanks, George Rainsford, *History of Florida from its Discovery by Ponce de Leon in 1513 to the Close of the Florida War*. Philadelphia: J. B. Lippincott and Company, 1871.
- Forbes, James Grant, *Sketches, Historical and Topographical, of the Floridas, more particularly of East Florida*. New York: C. S. Van Windle, Printer, 1821.
- Giddens, Josh R., *Exiles of Florida, or the Crime Committed by our Government Against the Maroons who Fled from South Carolina and other Slave States Seeking Protection under Spain*. Columbus: Follett, Foster and Company, 1856.
- Heilman, Grace E., and Levin, Bernard S. (eds), *Calendar of Joel R. Poinsett Papers in the Henry D. Gilpin Collection*. Philadelphia: Historical Society of Pennsylvania, 1941.
- Mitchell's Compendium of the Internal Improvements of the United States: Comprising General Notices of all the most Important Canals and Railroads Throughout the Several States and Territories of the Union*. Philadelphia: Mitchell and Hinman, 1835.
- Phillips, Ulrich Bonnell, and Glunt, James D. (eds), *Florida Plantation Records from the Papers of George Noble Jones*. St. Louis: Missouri Historical Society, 1927.
- Sibbald, Charles F., *Claim of Charles F. Sibbald*. Philadelphia: Privately Printed, 1844.
- Sprague, John Titcomb, *The Origin, Progress, and Conclusions of the Florida War*. New York: D. Appleton and Company, 1848.
- Vignoles, Charles, *Observations Upon The Floridas*. New York: Bliss and White Publishers, 1823.
- Walker, Jonathan, *Trial and Imprisonment of Jonathan Walker*. Boston: Published at the Anti-Slavery Office, 1845.
- Williams, John Lee, *The Territory of Florida: or Sketches of the Topography, Civil and Natural History of the Country, the Climate, and the Indian Tribes from the First Discovery to the*



## BIBLIOGRAPHY

- Present Time*, with Maps, Views, etc. New York: A. T. Goodrich, 1837.
- Williams, John Lee, *A View of West Florida, Embracing its Geography, Topography, with an Appendix Treating of its Antiquities, Land Titles, and Canals*. Philadelphia: L. R. Bailey, 1837.

### D. CHURCH RECORDS

- Journal of the Second Annual Convention of the Protestant Episcopal Church in the Diocese of Florida held in St. Johns Church, Tallahassee in January, 1839*. Tallahassee: Knowles and Hutchins.
- Journal of the Third Annual Convention of the Protestant Episcopal Church in the Diocese of Florida held in St. Johns Church, Tallahassee in January, 1840*. Tallahassee: Knowles and Hutchins, Printers, 1840.
- Journal of the Fourth Annual Convention of the Protestant Episcopal Church in the Diocese of Florida held in St. Paul's Church, Quincy, in January, 1841*. Quincy: Clisby and Smith, Printers, 1841.
- Journal of the Fifth Annual Convention of the Protestant Episcopal Church in the Diocese of Florida held in St. Johns Church in Tallahassee in January, 1842*. Tallahassee: C. E. Bartlott, Printer, 1842.
- Journal of the Proceedings of the Sixth Annual Convention of the Protestant Episcopal Church in the Diocese of Florida held in St. Johns Church, Tallahassee, in January, 1844*. Tallahassee: Printed at Star Office, 1844.
- Proceedings in the Organizing the Diocese and Journal of the Primary Convention of the Protestant Episcopal Church in Florida, January, 1838*. Tallahassee: Knowles and Hutchins, Printers, 1838.

### E. NEWSPAPERS AND PERIODICALS

- (1) Files in the P. K. Yonge Memorial Library, Pensacola, Florida:

*Apalachicola Gazette*. Complete file from 1836 through 1840.

*East Florida Herald* (St. Augustine). Almost complete, file from 1833 through 1842. Library of Congress has years 1823





## FLORIDA DURING THE TERRITORIAL DAYS

through 1829. Florida State Library has years from 1839 to 1845. This is the best newspaper for details of local happenings in East Florida. After November 1, 1838, the title was changed to *Florida Herald*.

*Florida Advocate* (Tallahassee). Scattered copies for 1827. Files for 1828-1829 are in Florida State Library.

*Jacksonville Courier*. Scattered copies, 1835 and 1836.

*Pensacola Gazette and West Florida Advertiser*. Complete file from 1834 through 1845. The files for the years 1828, 1829, and 1833 were worked in the Library of Congress, and from 1824 through 1828 in the Florida State Library. After November 5, 1830, the paper bore the simple title *Pensacola Gazette*. This is the best newspaper file for the general story of Territorial Florida.

*The Apalachicola*. Scattered copies for 1841.

*The Floridian* (Pensacola), 1823-1824.

*The News* (St. Augustine). Scattered copies 1836 through 1841.

### (2) Files in the Library of Congress:

*Florida Gazette* (St. Augustine). Scattered copies for 1821. Paper suspended publication in 1822, and was succeeded by *East Florida Herald* (St. Augustine).

*Florida Intelligencer* (Tallahassee). Scattered copies for 1826. Paper was succeeded by *Florida Advocate* (Tallahassee).

*The Tallahassee Star*. Files practically complete 1839 through 1845. On May 21, 1849 the paper became the *Star of Florida* (Tallahassee).

### (3) Files in the Florida State Library, Tallahassee:

*Commercial Advertiser* (Apalachicola). 1843-1845.

*Florida Journal* (Apalachicola). 1841-1843.

*Florida Sentinel* (Tallahassee). 1842-1845.

*St. Joseph Times*. Scattered copies 1838 through 1841.

*The Florida Watchman* (Tallahassee). Scattered copies for 1838.

### (4) Files in Library of The University of Georgia:

*New York National Advocate*. Scattered copies for 1825.

*Niles' Weekly Register*. 1819-1832.

*The Daily National Journal* (Washington). Scattered copies for 1826-1829.



## BIBLIOGRAPHY

*The Globe* (Washington). 1841.

*Washington Gazette*. Scattered copies for 1824.

(5) Files in the Library of the University of North Carolina:

*National Intelligencer* (Washington). 1821-1843.

*Southern Cultivator* (Augusta, Georgia). 1840. A monthly devoted to interests of Southern Agriculture.

*The Farmer's Register* (Shellbanks, Virginia). 1835-1841.

## II. SECONDARY SOURCES

### A. GENERAL WORKS

Bailey, Thomas A., *A Diplomatic History of the American People*. New York: F. S. Crofts and Company, 1940.

Beard, Charles A. and Mary R., *The Rise of American Civilization*, 2 vols. New York: The Macmillan Company, 1930.

Bemis, Samuel Flagg (ed), *American Secretaries of State and their Diplomacy*, 10 vols. New York: Alfred A. Knopf, 1927-1929.

Chadwick, French Ensor, *The Relations of the United States and Spain, Diplomacy*. New York: Charles Scribners' Sons, 1909.

Foreman, Grant, *Indian Removal, The Emigration of Five Civilized Tribes of Indians*. Norman: University of Oklahoma Press, 1923.

Griffin, Charles Carroll, *The United States and the Disruption of the Spanish Empire, 1610-1822*. New York: Columbia University Press, 1937.

James, Marquis, *Andrew Jackson: The Border Captain*. New York: Bobbs-Merrill Company, 1933.

Ley, John C., *Fifty-Two Years in Florida*. Nashville: Publishing House of the Methodist Episcopal Church, South, 1899.

Moore-Wilson, Minnie, *The Seminoles of Florida*. New York: Moffat, Yard and Company, 1911.

McGrane, Reginald C., *Foreign Bondholders and American State Debts*. New York: Macmillan Company, 1935.

Parton, James, *Life of Andrew Jackson*, 3 vols. Boston: Houghton, Mifflin and Company, 1860.

Phillips, Ulrich Bonnell, *Life and Labor in the Old South*. Boston: Little, Brown and Company, 1936.

Shea, John Gilmary, *History of the Catholic Church in the United States*. New York: Mershon Company Press, 1890.



## FLORIDA DURING THE TERRITORIAL DAYS

- Smith, George C., Jr., *History of Methodism in Georgia and Florida from 1785 to 1865*. Macon: J. W. Burke Company, 1881.
- Smith, George G., Jr., *The Life and Letters of James Osgood Andrew*. Nashville: Southern Methodist Publishing House, 1882.

## B. STATE AND LOCAL HISTORIES

- Abbey, Kathryn Trimmer, *Florida, Land of Change*. Chapel Hill: University of North Carolina, 1941.
- Armstrong, H. Clay (ed), *History of Escambia County, Florida*, St. Augustine: The Record Company, 1930.
- Brevard, Caroline M., *A History of Florida from the Treaty of 1763 to our own Times*, 2 vols. Edited by James Alexander Robertson. Deland, Florida: The Florida State Historical Society, 1924.
- Brinton, Daniel Garrison, *Notes on the Floridian Peninsula, its Literary History, Indian Tribes and Antiquities*. Philadelphia: J. Sabin, 1859.
- Browne, Jefferson B., *Key West, the Old and the New*. St. Augustine: The Record Company, 1912.
- Buchholz, F. W., *History of Alachua County, Florida*. St. Augustine: The Record Company, 1929.
- Cash, William T., *The Story of Florida*, 4 vols. New York: American Historical Society, 1938.
- Davis, Thomas Frederick, *A History of Early Jacksonville, Florida*. Jacksonville: H. and W. B. Drew Company, 1911.
- Davis, Thomas Frederick, *History of Jacksonville, Florida and Vicinity, 1513 to 1924*. Jacksonville: Florida Historical Society, 1925.
- Dewhurst, William W., *The History of St. Augustine, Florida, with an Introductory Account of the Early Spanish and French Attempts at Exploration and Settlement in the Territory of Florida*. New York: G. P. Putnam's Sons, 1881.
- Fairbanks, George Rainsford, *The History and Antiquities of the City of St. Augustine*. Charles B. Norton, 1858.
- Gold, Pleasant D., *History of Duval County Florida, also Biographies of Men and Women who have done their part in Making Duval County, past and present*. St. Augustine: The Record Company, 1926.





## BIBLIOGRAPHY

- Green, Edwin L., *School History of Florida*. Baltimore: Williams and Wilkins Company, 1899. Second Edition.
- Haskins, Frank W., *The History of Methodism in Pensacola, Florida; its Rise and Progress*. Nashville: Methodist Episcopal Publishing House, 1928.
- Long, Ellen Call, *Florida Breezes or Florida Old and New*. Jacksonville. Privately Printed, 1882.
- McKinnon, John L., *History of Walton County*. Atlanta: Byrd Printing Company, 1911.
- Reese, Joseph Hugh, *Florida Flashlights, a Thousand and One Facts Concerning the History, Development, Resources, and Possibilities of the great Peninsula State*. Miami: The Nefty Press, 1917.
- Rerick, Rowland H., *Memoirs of Florida, Embracing a General History of the Province, Territory and State; and Special Chapters devoted to Finances, Banking, the Bench and the Bar*, 2 vols., 1882, edited by Francis P. Fleming. Atlanta: Southern Historical Association, 1902.
- Reynolds, Charles B., *Old Saint Augustine, A Story of Three Centuries*. St. Augustine: E. H. Reynolds Company, 1885.
- Stockbridge, Frank P., and Perry, John H., *Florida in the Making*. Jacksonville: The deBower Publishing Company, 1925.
- Webb, Wanton S., *Florida, Historical, Industrial, and Bibliographical*. New York: W. S. Webb and Company, Publishers, 1885.

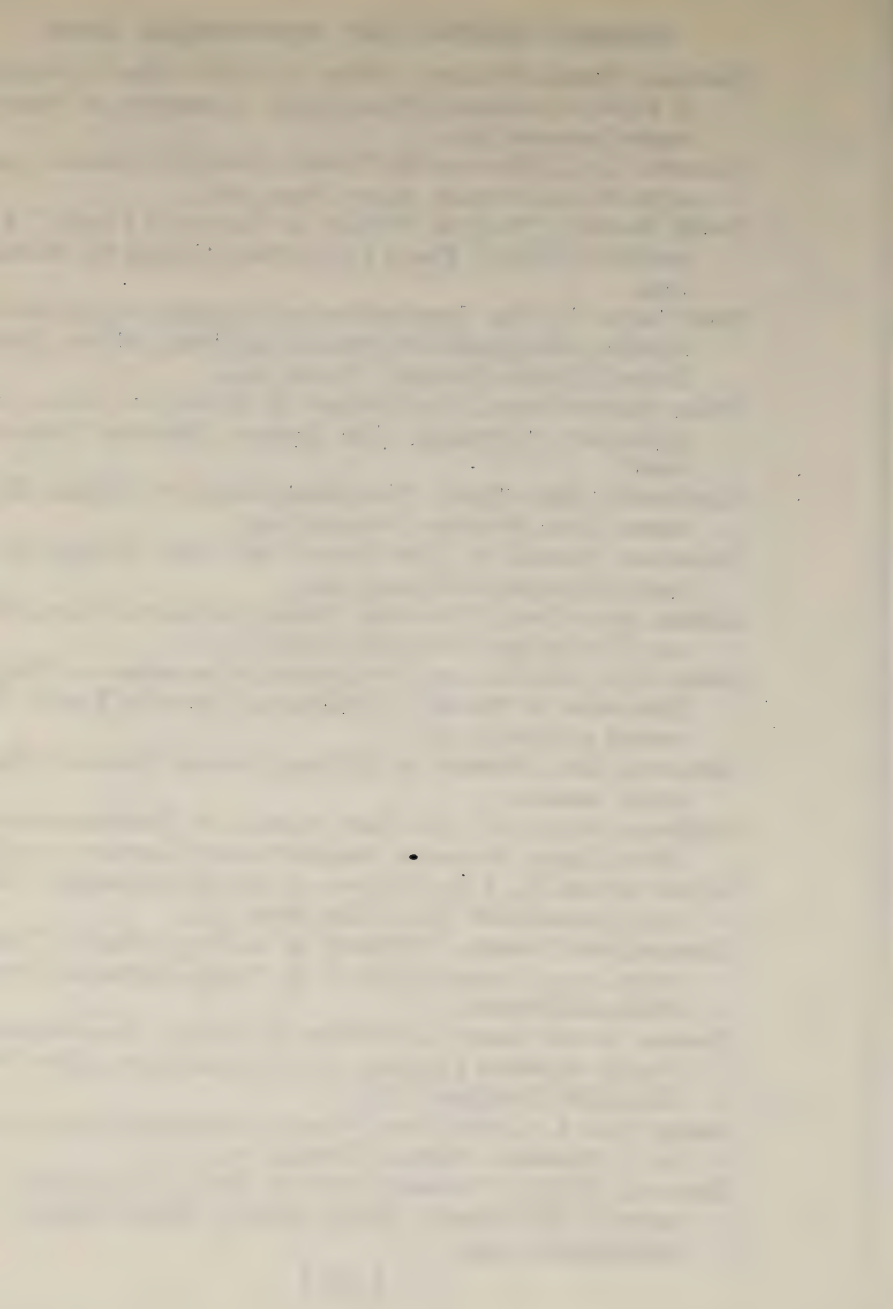
## C. MONOGRAPHS AND SPECIAL STUDIES

- Appleyard, Lula Keith, "Plantation Life in Middle Florida." Unpublished Master's Thesis, Florida State College for Women, 1940.
- Brooks, Philip Coolidge, *Diplomacy and the Borderlands; The Adams-Onís Treaty of 1819*. Berkeley, California: University of California Press, 1939.
- Bush, George G., *History of Education in Florida*. Washington: Government Printing Office, 1889.
- Cash, William T., *History of the Democratic Party in Florida*. Tallahassee: Florida Democratic Historical Foundation, 1936.
- Chatham, Katherine, "Plantation Slavery in Middle Florida." Unpublished Master's Thesis, University of North Carolina, 1938.



## FLORIDA DURING THE TERRITORIAL DAYS

- Cochran, Thomas Everette, *History of Public School Education in Florida*. Lancaster, Pennsylvania: University of Pennsylvania Company, 1921.
- Clavreul, U. G., *Notes on the Catholic Church in Florida. 1565-1876*. St. Leo, Florida: Abbey Press, 1876.
- Dodd, Dorothy, "Railroad Projects in Territorial Florida." Unpublished Master's Thesis, Florida State College for Women, 1929.
- Ezell, Boyce F., *The Development of Secondary Education in Florida, with Special Reference to the Public White School*. Deland, Florida: Privately Printed, 1932.
- Fuller, Hubert Bruce, *The Purchase of Florida; its History and Diplomacy*. Cleveland: The Burrows Brothers Company, 1906.
- Grahowskii, Bessie Berry, *The Duval Family of Virginia*. Richmond: Dietz Printing Company, 1931.
- Haywood, Marshall D., *John Branch, 1782-1883*. Raleigh: Commercial Printing Company, 1915.
- Knauss, James Owen, *Territorial Florida Journalism*. Deland, Florida: Florida State Historical Society, 1926.
- Macy, E. E., "The Rise and Development of Secondary and Higher Education in Florida." Unpublished Master's Thesis, University of Florida, 1912.
- McCrory, Mae, "History of Jefferson County, Florida." Manuscript, undated.
- McIlwain, William E., *The Early Planting of Presbyterianism in West Florida*. Pensacola: Mayes Printing Company, 1926.
- Rogers, Samuel B., *A Brief History of the Florida Baptists. 1825-1925*. Jacksonville: The Miller Press, 1925.
- Thomas, David Yancey, "A History of Banking in Florida." Manuscript, 1924. Located in the P. K. Yonge Memorial Library, Pensacola, Florida.
- Thomas, David Yancey, *A History of Military Government in Newly Acquired Territory of the United States*. New York: Macmillan Company, 1904.
- Yonge, Julia J., *Christ Church Parish, Pensacola, Florida, 1827-1927*. Pensacola: Privately Printed, 1927.
- Yulee, C. Wicliffe, "Senator David L. Yulee." Manuscript prepared by the Library Service Project, Works Progress Administration, 1939.



## BIBLIOGRAPHY

### D. PERIODICAL ARTICLES

- Abbey, Kathryn T., "Union Bank of Tallahassee," *Florida Historical Quarterly*, XV (April, 1937), 207-231.
- Bevis, W. P., "Legislative Information and Important Events Concerning Territorial Florida," Tallahassee Historical Society Annual, 1934.
- Brevard, Caroline Maye, "Richard Keith Call," *Florida Historical Quarterly*, I (July, 1908), 3-12; II (October, 1908), 8-20.
- Bourne, G. T., "Historical Sketch of the Euchee Valley Church," *Centennial of the Euchee Valley Presbyterian Church* (Pensacola), 1928.
- Cubberly, Frederick, "Florida Against Georgia," *Florida Historical Quarterly*, III (October, 1924), 20-28.
- Davis, Mary Lamar, "Robert Butler—An American Pioneer," Tallahassee Historical Society Annual, 1939.
- Dupont, C. H., "History of the Introduction and Culture of Cuba Tobacco in Florida," *Florida Historical Quarterly*, VII (January, 1928), 149-155.
- Farris, Charles D., "Courts of Territorial Florida," *Florida Historical Quarterly*, XIX (April, 1941), 42-57.
- Haskins, F. W., "The St. Joseph Convention," *Florida Historical Quarterly*, XVI (July, 1937), 33-43; XVI (October, 1937), 95-109.
- Knauss, James Owen, "St. Joseph, An Episode of the Economic and Political History of Florida," *Florida Historical Quarterly*, XVII (October, 1938), 84-103.
- Ott, Eloise Robinson, "Ocala Prior to 1868," *Florida Historical Quarterly*, VI (October, 1927), 85-110.
- Parker, Daisy, "R. K. Call, Whig Leader," Tallahassee Historical Society Annual, 1939.
- Pennington, Edgar Legare, "Episcopal Church in Florida, 1763-1892," *Historical Magazine of the Protestant Episcopal Church*, VII (March, 1938), 37-55.
- Porter, Emily, "Reception of the St. Joseph Constitution," *Florida Historical Quarterly*, XVII (October, 1938), 103-124.
- Reynolds, Erskine H., "Historical Sketch of Memorial Presbyterian Church, St. Augustine," *Centennial of the Presbyterian Church of St. Augustine*. St. Augustine: Record Office, 1924.





## FLORIDA DURING THE TERRITORIAL DAYS

- Whitfield, James B., "Notes on the Constitutional Conventions of Florida," Tallahassee Historical Society Annual, 1937.
- Whitfield, James B., "Florida's First Constitution," *Florida Historical Quarterly*, XVII (October, 1938), 73-102.
- Whitman, Alice, "Transportation in Territorial Florida," *Florida Historical Quarterly*, XVII (July, 1938), 25-53.



# INDEX

- Absentee owners, 71
- Accusations, made by Callava against Jackson, 29
- Acquisition of Florida, 1; U.S. increased as result of, 15
- Acts, passed by Council, 1824, 37
- Adams, John Quincy, Secretary of State, begins negotiations with Spain, 3; dominates the conference, 4; disapproves of Forsyth's appointment, 10; advocates another invasion into Florida, 11; debates land grants, 69
- Administrative functions, exercised by courts, 45
- Admission of Florida into Union, bill for, 276; included Iowa, 276; became law March 3, 1845, 277; news of, 277
- Agricultural society, 108
- Alabama, relations with West Florida, 260; petitions Congress for union with West Florida, 260
- Alabama, Florida, and Georgia Company, railroad, 143, 152
- Alabama Methodist Conference, includes West Florida, 208
- Alachua County created, 40, 191
- Alachua Land District, 88
- Alagon Land Grant, 6, 70
- Alcalde, duties of, 23
- Aldermen, board of, 41
- Alien, Levy accused of being an, 51
- Allen, M. T., 87
- Allen, Richard C., judge of Apalachicola district, 45, 83
- Allen, W. H., Receiver of Public Land Office, 88
- Alston, Augustus, duel with Leigh Read, 106
- Alston-Stewart duel, 106
- Alston, Willis, 106
- Ambrister, British subject, 3
- American Democracy, 213
- American Trust and Banking Company, 154
- Anderson, Alexander, attorney, 43
- Anglican Church, 198
- Animosities, between East and West Florida, 262
- Anti-bank forces, 52
- Anti-bank party, 270, 271
- Anti-bank sentiment, 156
- Anti-statehood faction, 272
- Apalachicola, 165; as a judicial seat, 44; social activities of, 102, 103; as a commercial port, 142; boom town, 171; commerce of, 173; land sales, 173; wickedness of, 173; boom period in, 174; becomes more refined, 174; cotton exported from, 174, 175
- Apalachicola district, judicial, 44
- Apalachicola Gazette*, 80, 177, 267, 272
- Apalachicola Land Company, 80, 173
- Apalachicola River, 133, 172, 228, 237, 261; reservation on, 67; plans to build road to, 141, 142; navigable, 171; dredged, 173
- Appeals, Court of, 45
- Appellate jurisdiction, 44
- Appointees, of Monroe, 26
- Appointments, 18, 33
- Arbuthnot, British subject, 3
- Arcadia-Black Water River railroad, shortest, 142
- Archives, 19
- Arkaluka*, fastest race horse in America, 100



# INDEX

- Armed Occupation Bill, 93; passed Congress, 94; nature of, 94; pleasing to East Florida, 95
- Armed Occupation Law, results of, 95; promoted Florida's development, 95, 96
- Armistead, Walker, 237
- Arredondo and Son, 78, 79
- Article six, 258
- Aspalaga, 65
- Atlantic and New Orleans Seaboard Line Company, 139
- Atlantic-Gulf Canal, 135, 136
- Babcock, William, 107
- Bailey, William, 39
- Bainbridge, William, 169
- Balance of power, 273
- Balls, held at St. Augustine, 102
- Baltzell, Thomas, opposes banks, 156
- Bank Charters, how secured, 147
- Banking, 144
- Bank liquidation, committee reports in favor of, 160
- Bank of Florida, 145
- Bank of Jacksonville, 146
- Bank of Pensacola, 151-153, 173
- Bank of St. Augustine, 146
- Bank of St. Joseph, 147
- Bank of West Florida, 146
- Bank Party, 270-272
- Banks, 256; hurt by Indian War, 155; turbulent existence, 155, 156
- Bank Whigs, 272
- Baptist Association of Florida, 212
- Baptist Church, growth of, 211; membership, 211; first church, 211
- Barings Company, bought bonds, 158
- Barnard, General, 133
- Barnett, William, member of Council, 36
- Bates School, 219, 220
- Battle of Okeechobee, 236
- Battle of Withlacoochee, 234, 246
- Beers, J. D., 154
- Bell, John R., takes control of St. Augustine, 25
- Bellamy, Abram, I, 47, 87
- Bellamy, Abram, II, 156, 188
- Bellamy, John, member of Council, 36; contracts to build road, 126
- Bellamy Road, 126, 127
- Belmont Plantation, 97
- Benton, Thomas Hart, opposes treaty, 8
- Berrien, John M., 79
- Berthelot, James A., member of Senate, 39
- Bethune, H., 243
- Bicameral legislature, 38
- Biddle, James, 169
- Biddle, Nicholas, 148
- Big Wahoo Swamp, 234, 235
- Bill for division of Territory, 266; defeat of, 266
- Bishop of Mobile, 200
- Bishop of Santiago de Cuba, 198
- Blair, James, 47
- Blakeley, 20
- Blunt, John, 227, 228
- Board of Commissioners, for East and West Florida, 72; abolished, 76; records filed with registers and receivers, 76; annual report, 73; procedure of, 74, 75
- Board of Directors, Union Bank of Tallahassee, 150
- Board of Engineers, to study seacoast, 169
- Boards of Commissioners, created by Congress, 71; location of each Board, 71; composition, 72
- Bowlegs, Billy, 238
- Brackenridge, Henry M., appointed alcalde, 23; judge of West Florida, 43; judge of Escambia County, 54
- Brackenridge, James, appointed to Council, 35
- Brady, John, 186
- Branch, John, Secretary of the Navy, 170; appointed Governor of Florida, 256; administration of, 275; problems of, 275; inaugurates state government, 277
- Branch, Mrs. John, 59
- Brent, Daniel, 77
- British Florida, 1
- Bronough, John C., 21; sent for documents, 27; president of Council, 35; dies of yellow fever, 36





## INDEX

- Brown, David, 204  
 Brown, Jabez N., 35  
 Brown, Thomas, 83  
 Browne, Walter, 154  
 Brunot, Samson K., 203  
 Buckles, Stephen E., 186; store of, 186  
 Buffoonery, spirit of, 104  
 Butler, Benjamin F., 251  
 Butler, Robert, accepts East Florida for the United States, 24; sent to Cuba for documents, 27; Surveyor-General, 82  
 Byrd, John C., 43  
 Byron Hotel, 267
- Cabell, Edward C., 277  
 Calhoun, John C., nullificationist, 50; belief about Indians, 226  
 Call, Richard Keith, member of Council, 35, 36; Territorial delegate, 47, 48; loses election 1845, 52; Receiver of Public Land Office, 87; public dinner held for, 101; interest in railroads, 140; delivers faith bonds, 150; in charge military operations, 235; Battle of Horse-shoe Bend, 240; friendship with Jackson, 241; accompanies Jackson to Florida, 241; practices law in Florida, 241; colorful figure, 240, 257; born in Kentucky, 240; early school life, 240; joined Jackson's volunteers, 240; correspondence with Jackson, 242; elected to Congress, 243; marries Mary Kirkland, 244; succeeded in Congress by White, 244; moves to Tallahassee, 244; appointed receiver of public lands, 244; sent to Cuba, 245; defeated by White, 246; bereavement, 246; leads volunteers against Indians, 246; criticised for action at Withlacoochee, 247; appointed Governor of Florida, 248; commands regular forces, 249; leads summer campaign, 250; criticised, 250; criticised by Jackson, 251; command taken from, 251, 252; correspondence with War Department, 252; enemy of the Van Buren administration, 253; resigns as governor, 253; becomes a Whig, 253, 254; campaigns for Harrison, 253; reappointed governor by Harrison, 255  
 Call, Mrs. Richard Keith, spurns Peggy O'Neil, 59  
 Callava, Don Jose, Governor of West Florida, 20; continues to refuse Jackson entrance to Pensacola, 21, 22; gives over to Jackson, 22; remains in Pensacola, 23; personal appearance of, 23, 24; in angry argument with Jackson, 28; released from jail, 28; sails for Cuba, 29; goes to Washington, 29  
 Caloosahatchie River, 237  
 Camp meeting, 207, 208  
 Canal, agitated for, 131, 132; reasons for, 132; route surveyed for, 133; pushed by Legislative Council, 134; possible routes of, 134, 135  
 Canal companies, 136  
 Cape Sable, 237  
 Capital, site selected, 36; established, 60; laid out 1825, 63; corner stone laid, 63  
 Captain General of Cuba, 18  
 Casa Bianca plantation, 97  
 Cass, Lewis, 230, 249  
 Cathedral of St. Augustine, 199  
 Catholic Church, growth of, 198; influence diminishes, 199; takes new life, 199; without bishopric, 201  
 Catholic era, 199  
 Catholic society, 199, 200  
 Celebration, 22  
 Central Bank of Florida, 146  
 Challenge, acceptance of, 106  
 Change of flags, festivities, 22  
 Charleston, College of, 222  
 Charleston diocese, 200  
 Charlotte harbor, considered for Navy yard, 169  
 Charter, granted for Jacksonville, 188  
 Charters, granted by Council, 41  
 Chase, Captain William H., 171  
 Chattahoochee River, 171  
 Cherokee Indians, 226



# INDEX

- Chipola River, 65
- Choctaw Indians, 226
- Christmas, in Florida, 104
- Christ's Episcopal Church (Pensacola), 202, 203; (Apalachicola), 204
- Circuit court, created, 46, 47
- Citrus fly, coming of, 118
- Citrus fruits, production of, 117
- Citrus industry, in East Florida, 98
- City Hotel, in Tallahassee, 102
- Clark grant, 81
- Clark, Lot, 153, 154
- Clay, Henry, opposed treaty, 8, 9
- Cleland, J. C., 88
- Clements, T. B., 84
- Climate, mild, 108
- Clinch, Duncan, 113, 232, 246, 247, 248
- Coccus hesperidum*, variety of citrus fly, 118
- Co-education, 219
- Coffee, John, 17
- Coffee, production of, 117
- Cole, George W., 88
- Collins House, social center in Pensacola, 101
- Columbia College, 221
- Columbia County, created, 41
- Commencement exercises, 220
- Commerce, in West Florida, 98; coastwise, 165
- Commercial Advertiser*, 175
- Commercial Bank of Apalachicola, 146
- Commission, to documents, 27
- Commissioners, appointed by courts, 41; commissioners, 61
- Commissions of governor, 33
- Committee on Banks, 159, 160
- Communicants, 200
- Congress, approves capital site, 62; flooded with petitions, 273; delays statehood, 273
- Congressional act, for construction of road, 125
- Congressional reapportionment, 258
- Conner, Joseph C., clerk of Council, 35
- Connor, Wilson, 211
- Constable, appointed in each county, 46
- Constituents, admire J. M. White, 49
- Constitution, ratified, 51; written, 271; submitted to people, 271; preamble, 271; features of, 271; accepted by vote of people, 272
- Constitutional Convention, Democrats in, 50; bill providing for, 266; selection of convention city, 266; advertisement of, 267; convenes, 268; delegates, 269; procedure, 269; officers of, 269; committees appointed, 269, 270; work of, 270; controversies, 270; ends, 271
- Contribution, made by Jackson, 31
- Controversy, between Fromentin and Jackson, 28; over capital site, 260; over division, 276; death of, 276
- Convention, in Palatka, 52
- Conway, V. Y., 85
- Cook, Reverend Henry P., 206, 207
- Coonti Root, production of, 117
- Corn, production of, 116
- Corporation control, 144
- Cortes, makes ready to accept treaty, 13
- Cotton, grows well, 108; leading crop of Middle Florida, 110; price of, 110; premiums offered for, 110; sea-island, 110; statistics on, 111, 112; price of, 166
- Cotton gins, 110
- Cotton mills, 110
- Cotton planters, 145
- Counties, created, 40; little governmental authority, 41; of Middle Florida, 109; aid in road construction, 128
- County court, created, 46; jurisdiction, 46
- Court sessions, in every county, 44
- Cowford, on the St. Johns, 124
- Crawford, William H., opposes treaty, 8; political enemy of Adams, 10
- Creek Indians, 225
- Currency, 145
- Customs, 15; become American, 31; during Territorial days, 97





# INDEX

- Customs collector, 172
- Customs house, at Key West, 194
- Dade, Francis L., massacre of, 234
- Dade Institute, 221, 222
- Dancing, popular in St. Augustine, 102
- Dawson, William G., 186
- de Castro, Evaristo Perez, Spanish minister of state, 13
- Delafield, John, 154
- de la Rue, John, member of council, 35
- Dellspine grant, 81
- Democracy, step towards, 38
- Democratic Convention, 277
- Democratic party, 51, 52, 254, 255
- Democrats, opposed banks, 50
- de Onis, Luis, Spanish minister, begins negotiations with U.S., 3; gives in to Adams, 4
- Depredations by Indians, 229
- Depression of 1837, retards railroad construction, 138
- de Trujillo, Carlos Martinez, Spanish foreign minister, 9; opposes treaty, 9; soon favors it, 10; dismissed from council, 12
- de Vives, arrived in U.S. April 7, 1820, 12; offered Spanish ratification, 12, 13
- Dill, John, road commissioner, 128
- Diocese of Florida, organized, 204
- Diplomacy, English, 14
- Discontent, as result of change of flags, 26
- District, Senate and Judicial, 39
- Districts, Territory divided into, 37
- Division of Territory, an issue, 259-266
- Divisionists, 52
- Divorces, granted by Council, 41; by superior courts, 42
- Dixon, Edward, 41
- Documents, in hands of Sousa, 27
- Doggett, John L., lawyer, 47, 187
- Donelson, Andrew Jackson, 19
- Douglas, Thomas, 44, 79, 154
- Downing, Charles, 154, 256, 274; lawyer, 47; Whig, 50; successor to J. M. White, 50; defeats Thomas Baltzell, 51; defeated by David Levy, 51; Register of Public Land Office, 88; advocates division of Territory, 263
- Draker, E. L., member of House of Representatives, 39
- Duel, Alston-Read, 106
- Duelling, common practice, 105, 106
- Dunlawton, 234
- Du Pont, Charles H., member of Senate, 39
- Duties, on Spanish goods, 26
- Duval County, created from St. Johns, 36, 40
- Duval, John P., 34
- Duval's administration, evaluation of, 68
- Duval, Thomas H., 34
- Duval, William P., member of Senate, 39; judge in East Florida, 43; returns to Kentucky, 45; Democrat, 50; born, 53; early life, 53; appointment of, 53; comes to Florida, 53; superintendent of Indian affairs, 53; administration of, 53; shows favoritism, 54; criticised, 54; ordered back to Florida, 55; attends Legislative Council, 55; makes bad beginning, 55; more interest in Florida, 56; interest in new capital, 56; threatens to resign, 56; refuses to resign, 55, 56; fails with Indians, 57; accepts governorship again, 58; succeeded by John H. Eaton, 59; aids in moving Indians, 66; has trouble with Neamathla, 66; raises tobacco, 115; vetoes bank bill, 144; reasons for vetoing bank bill, 144, 145; attitude toward bank, 144-146; Superintendent of Indian Affairs, 226; unifies East and West Florida, 260; nominated for presidency of Constitutional Convention, 269; leader of bank party, 270; anti-statehood leader, 273
- Dyce, Robert, 204
- Eagle Tavern, place of entertainment, 102





## INDEX

- East Florida, 39, 98, 258, 259, 260, 261, 262, 263, 264, 265, 266, 272  
*East Florida Herald*, 245, 261  
 Eaton, John H., becomes governor, 59; short tenure, 59; makes headquarters in Pensacola, 59; appointed minister to Spain, 60; friend of Call, 243  
 Econchatimico, 227, 228  
 Economic life, during economic days, 97  
 Education, system of, 216, 217; not advanced, 214  
 Educational Acts, 216; nature of, 216; few schools established, 216  
 Educational development, makes little progress, 223; lack of money for, 223; pioneer life not conducive to, 223  
 Educational Society, 217, 218  
 El Destino plantation, 97  
 Election, senatorial, 39  
 Election of Council, 37  
 Electoral districts, abolished, 37  
 Ellsworth, H. L., 231  
 Emathlochee, 227, 228  
 England, helps prevent U.S. war with Spain, 11, 12; wants Spain to keep Florida, 14  
 England, Bishop, 200  
 Entralgo, Juan, Spanish alcalde, 25  
 Entry, ports of, 26  
 Episcopal Church, organized, 201; first parish (St. Augustine), 201; first minister, 201; pastorate of Raymond Henderson, 202; growth of, 202; in Pensacola, 202, 203; in Key West, 203, 204  
 Erving, George W., minister to Spain, 10  
 Escambia County, 31, 40, 273  
 Escrivano, 71  
 Executive department, 32  
 Faith bonds, 152; issued by Union Bank of Tallahassee, 149, 150; wisdom questioned, 156; sold in Europe, 158; repudiated by Legislative Council, 161  
 Fallenberg School, 218  
 Farmer's Bank of Florida, 146  
 Farmer's Loan and Trust Company, 154  
 Farming section, in Middle Florida, 97  
 Fatio grant, 81  
 Federal Government, aids in road building, 128, 129; rejects canal proposal, 134  
 Ferdinand VII, King of Spain, 3; gives large land grants, 6; favors treaty, 9  
 Fernandina, 189  
 Ferries, operated, 137  
 Ferry, across St. Johns, 187  
 Feud, between Jackson and Callava, 28, 29  
 Fish, many varieties of, 121  
 Fitts, H. B., proprietor of Florida Hotel, 102  
 Flags, change of, in St. Augustine, 24; change of, planned, 21; change of, Spanish sad, 22; takes place, in Pensacola, 22  
 Fleming grant, 81  
 Flint River, 171  
 Floating drydock, 170  
 Florida Baptist Convention, 212  
*Florida Herald*, 64  
 Florida Hotel, in Tallahassee, 102  
 Florida Insurance and Banking Company, 147  
*Florida Journal*, 179  
 Florida Methodist Conference, organized, territory, 208  
 Florida Peninsula and Jacksonville Railroad Company, 139, 143  
 Florida Peninsula Railroad and Steamboat Company, 139  
 Florida Railroad Company, 144  
*Florida Sentinel*, 196  
 Fontaine, Joseph, member of Council, 40  
 Forbes and Company, 78, 80, 172  
 Forbes, Colonel James, appointed as envoy to Cuba, 19; sails for Pensacola, 19; arrives from Havana, 21  
 Foreign investors, in banks, 159, 160  
 Forsyth, John, sent to Madrid, 10; unfit for appointment, 11



# INDEX

- Fort Barrancas, 169, 170
- Fort Brooke, 238
- Fort Dade, 235
- Fort Drane, 246, 247, 250, 251
- Fort Gibson, 231
- Fort King, 191, 233, 238, 273
- Fort McRee, 171
- Fort Marion, 25
- Fort Mellon, 238
- Fort Moultrie, 277
- Fort Pickens, 171
- Fortifications, 25
- Foster, Charles G., 61
- Foster's Island, fort at, 171
- Fowler, Andrew, 201
- France, helps prevent U.S. war with Spain, 11, 12
- Franklin Bank of St. Joseph, 147
- Franklin College, 222
- Franklin County, 273
- Freeze, of 1835, 118, 185; hurts oranges, 185
- Freight rates, low, 142
- Frenchmen, come to Middle Florida, 63
- Fromentin, Elijas, trouble with Jackson, 26, 27; favors Spanish, 27; issues habeas corpus, 28; remains in Florida, 29; first judge, 43
- Fruits, kinds raised, 118
- Gadsden County, 36, 40, 273
- Gadsden, James, opposed by J. M. White, 48; sent to Florida, 66; appointed to remove Indians, 67, 68; dislikes Duval, 68; canal commissioner, 134; interest in railroad construction, 139; Indian Commissioner, 227, 230
- Gaines, Edmond P., 234
- Gaither, Greenberg, member of Council, 35
- Gamble, John Grattan, bank founder, 149; sells bonds in Europe, 158
- Game, kinds found, 121
- Gautier, Peter W., 268
- General Land Office, Commissioner of, 86; detail records sent to, 86; instructions sent to Surveyor-General from, 86
- Georgia Methodist Conference, 208
- Georgia, University of, 221, 222
- Gibson, E. R., member of Council, 36; canal commissioner, 134
- Glenn, J. N., 206
- Government, 32
- Government House, 22, 102
- Governments, Florida divided into two, 31
- Governor, 32; duties, 32; appointive power of, 33; selected by President, 42; first civil, 53
- Governors, terms of, 33; did not have to be residents of Florida, 33
- Graham, George, 77, 82, 86
- Great White Father, 227
- Green Cove Springs, 190
- Gregory, Walter, 152
- Guard, sent for Callava, 28
- Gulf of Mexico, 133
- Habeas corpus, Fromentin issues, 28
- Habits, basically Spanish, 97
- Hackley, Robert, 87
- Halifax River, 183
- Halleck-Tustenuggee, 238
- Hamilton, Alexander, attorney, 43, 243
- Hamilton County, created, 41
- Hanbam, James R., member of Council, 35
- Hannam, James, road commissioner, 128
- Harney, William S., 237
- Harrison, William H., 253
- Hart, A. B., minister at Apalachicola, 174
- Hart, Daniel C., 186
- Hart, Isaac David, 39, 186, 187; founder of Jacksonville, 188
- Haskew, Reverend Peter, 173, 174, 180, 208
- Hawkins, George S., member of Senate, 39
- Hayward, Elijah, 86
- Henderson, Reverend Raymond, 202
- Hermitage, home of Jackson, 19
- Hernandez, Joseph M., 47, 62, 243, 261



## INDEX

- Hicks, John, appointed new chief, 66, 230
- Hogans, Lewis, 186
- Hope and Company, bought bonds, 158, 162
- Hornet*, 19
- Horse-racing, 99
- House of Representatives, makes investigation, 30; created, 38; chosen by popular vote, 39
- Huerta grant, 81
- Humphreys, Gad, Indian Agent, 54, 226, 230
- Hunter, N. P., 247
- Hutchins, Reverend P. H., 203
- Indian, affairs under Duval, 65; policy, 67; trails, 124; conduct, 230; chiefs select site for reservation, 231; depredation, 238, 250; troubles, 256
- Indian removal, 224-239; from Tampa Bay, 238; sent to Arkansas, 238; few remain in Florida, 239
- Indian Removal Bill, 224
- Indian reservation, 226; on Apalachicola River, 229
- Indian River, 81
- Indian War, becomes long struggle, 236; causes hatred between races, 237
- Indians, at Tallahassee, 62; menace to road builders, 128; removed slowly, 237
- Indigo, production of, 116
- Inferior courts, 43
- Institution of higher learning, provided for, 217; trustees of, 217
- Institutions, 15
- Insult, done to Callava, 28, 29
- Internal improvements, 124, 125
- Inter-state railroad, 142
- Investigation made by Congress, 29
- Iola, terminus of railroad, 141, 177
- Jackson, Andrew, leads expeditionary force, 1818, 2; wants to invade Florida again, 11; instructed to make ready for attack, 12; appointed Governor of Florida, 15; accepts governorship, 16; appointment confirmed, 17; notified by Adams, 17; commission to receive Florida, 18; salary as governor, 18; not satisfied with Monroe's appointments, 18; waits in Montpelier, 20; writes to Callava, 20; distrusts Spanish, 26; orders Sousa brought before him, 27; in rage over Sousa's action, 28; enraged at Fromentin, 28; returns to Hermitage, 29; tenders resignation to Monroe, 30; asks that resignation be cancelled, 30; gives Florida American life, 31; advocates Indian reservation, 66; belief about Indians, 226
- Jackson County, 36, 273
- Jackson, Mrs. Rachel, 112; goes to Pensacola, 21; describes situation at Pensacola, 22
- Jacksonville, social activities of, 102; location of, 185; early names, 185, 186; first settlers, 186; frontier life, 186, 187; the Harts in, 186, 187; streets laid out, 187; streets named in, 187; named, 187; population in 1830, 188; county seat of Duval County, 188; first court in, 188; gets charter, 188; development halted, 188; prosperity comes to, 189; appearance of, 189; population of, 1840, 189
- Jail, Callava thrown in, 28
- Jefferson County, created, 41, 65
- Jerry, Reverend John L., 206, 207
- Jesup, Thomas S., 235, 236, 251, 252
- Johnson, Andrew, 154
- Jones, Charles, 204
- Jones, Sam, 238
- Judicial department, 32
- Judicial districts, five created, 45
- Judiciary, begins in 1821, 42
- Judiciary Committee, makes faith bonds null and void, 160
- July Fourth, celebrated, 104
- Justice of the peace, 47
- Justices, named by Council, 47





# INDEX

- Key West, 165; origin of name, 191, 192; under the Spanish, 192; bought by Simonton, 192; Geddes brings settlers in, 192; Perry takes possession of, 192, 193; American flag raised over, 193; naval depot established at, 193; declines during 1820's, 195; incorporated, 195; government of, 195; suffers from Seminole War, 197, 198
- Key West Enquirer*, 196
- Key West Gazette*, 196
- Key West Register*, 196
- King of Spain, 69
- King's Road, extent of, 124, 187; extended to New Smyrna, 127, 128; work on, 128
- Kingsley, Zephania, member of Council, 36
- Kirk, Thomas, race track proprietor, 101
- Knowles, Joshua, 269
- Lafayette Female Academy, 223
- Lain, John, 186
- Lake Pontchartrain, 135
- Lake Wimico, 176
- Lake Wimico and St. Joseph Company, 141
- Lancaster, Joseph B., lawyer, 47
- Land, rich and porous, 108
- Land claimants, 71; procedure for, 73; encounter trouble, 81; injustice done to, 81
- Land claims, 69; fraudulent, 73
- Land grants, null and void if made after January 24, 1818, 6; disposition of, 12; of British origin, 71; of Spanish origin, 71; surveyed, 77; surveyed in West Florida, 77; surveyed in East Florida, 78; size of, 78
- Land Office, administered by Federal government, 42; Tallahassee, 85; moved to St. Augustine, 85; records well preserved, 85
- Land policy, 91
- Land problem, 69
- Lands for educational purposes, 214
- Lathrop, Reverend Eleazer, 210
- Law, Edmund, appointed alcalde of East Florida, 25; member of Council, 35
- Lawlessness among Indians, 229
- Legislative Council, 256; given broader powers, 32; first session of, 35; members of, 35; in Tallahassee, 36; second session at St. Augustine, 36; adjourns, 36; growth of, 37; selected by people, 37; meeting time changed, 38; meets in new capital, 62; considers moving capital, 64; endorses plan for bank, 144; interest in education, 215; meets in Pensacola, 260; meets in St. Augustine, 260; asks that statehood be delayed, 273; petitions for statehood, 275
- Legislative department, 32
- Legislature, expansion of, 34
- Leon County, 41, 273
- Levy, David, member of Council, 40; lawyer, 47; criticised by Whigs, 51; elected to Congress, 51, 256; leader of anti-bank faction, 270; champion of statehood, 274; first state Senate, 277
- Life and Trust Bank, 154
- Lipona plantation, 97
- Literary clubs, 98
- Local elections, won by Whigs, 52
- Lockport Bank of New York, 153
- Loco Foco Party, opposed by Whigs, 51; opposes banks, 156
- Long, Medicus, lawyer, 47
- Lottery funds, 216
- Louisiana Purchase, 7
- Lumber industry, in West Florida, 98; thrives, 119
- Lumbermen, come to Florida, 119, 120
- Lytle, Thomas, member of Council, 35
- McCormack, Paul, 84
- McGrane, Reginald, 161
- McWhir, William, 210
- Macomb, Alexander, 235, 236



# INDEX

- Macon, Gibson, absent from Council, 35  
 Madison County, created, 41  
 Madison, James, President, 1  
 Maenhaut, Father, 200  
 Maestre, Juan, 186  
 Magnolia, 65, 165, 180  
 Mahy, Nicholas, Governor General of Cuba, 19; delays in giving up Archives, 19  
 Mail, slow and uncertain, 129; bid for carrying, 129; schedules, 130  
 Mail carriers, overcome many dangers, 131  
 Mandarin, 186, 189  
 Manifest destiny, 1; reason for U.S. acquiring Florida, 14  
 Manila hemp, production of, 117  
 Manufacturing, limited amount of, 120  
 Marcy, W. L., 154  
 Marianna, 65  
 Marine Insurance Bank of Apalachicola, 147  
 Marion track, in Tallahassee, 100  
 Marvin, William, member of Senate, 39  
 Masquerade, newly-weds, 105  
 Matanzas River, 183  
 Mayne, Edward, 200  
 Mayport, 189  
 Merchants and Planters Bank of Magnolia, 146  
 Methodist Church, nature of, 205; circuit rider, 205, 206; beginnings at St. Augustine, 205; organized at St. Augustine, 206; lack of buildings, 209; accomplishments, 209  
 Methodist circuit riders, 205-207  
 Methodist Mission at Pensacola, 206  
 Micanopy, settlement, 191, 234, 250  
 Micanopy, Indian chief, 232  
 Micco Hadjo, 225  
 Mico, 65  
 Mickasukie Indians, 225; amalgamation with Seminoles, 225  
 Middle Florida, 39, 44, 258, 259, 263, 272  
 Military governor, term ends, 31  
 Miller, John, one of commission to get document, 27; member of Council, 35  
 Mills, William J., member of Senate, 39, 188  
 Ming, Frederick, 84  
 Minorcans, 198, 199  
 Mississippi Methodist Conference, 206  
 Mississippi River, western boundary of Florida, 1, 229  
 Mitchel, Peter, member of Council, 36, 79  
 Mitchell, Octavius, member of Council, 36  
 Mobile Bay, 20  
 Mobile, growth of, 98, 171  
 Monroe County, 36, 40  
 Monroe, James, appeases Spain, 2; refuses to censure Jackson, 3; wants to recognize South American colonies, 4; sends Forsyth to Madrid, 10; keeps in close touch with Jackson, 20; accepts Jackson's resignation, 30  
 Monticello, 65  
 Montpelier, 20  
 Moore, John M., 93  
 Morals, in Pensacola, 22, 23  
 Moreago, Joseph, member of Council, 36  
 Moseley, William D., 256; wins election, 52; first state governor, 277  
 Mosquito County, created, 40  
 Mud slinging, between parties, 51, 52  
 Mulatto King, 227, 228  
 Mural, Achille, 63; description of, 99  
 Murray, George, member of Council, 35; president of Council, 36  
 Nassau County, created, 40  
 Nassau River, 81  
*National Intelligencer*, 14, 166  
 Naval stores, production of, 108  
 Navigation, 136  
 Navy yard, 243; established at Pensacola, 170  
 Neamathla, 61, 227, 228; has trouble with Duval, 66; becomes a nuisance, 67  
 Newlyweds, masqueraded, 105



# INDEX

- Newnansville, county seat, 41  
 New Orleans, 20, 171; population, 1821, 98; population, 1836, 98  
 Newport, 165  
 New Smyrna, 184  
 New York Life Insurance and Trust, 154  
 Newspapers, endorse Thanksgiving, 104  
*Niles' Register*, endorses Florida acquisition, 7  
 Norman, Captain J. A. L., 221, 222  
 Nullification, comes to Florida, 49, 50  
  
 Ochesse, 65  
 Oclockney, 60, 62  
 Old Town, 250  
 O'Neil, Peggy, arrives in Tallahassee, 59; not cordially received, 59  
 Orange industry, at St. Augustine, 185  
 Oranges, production of, 117; development of the industry, 118; hurt by citrus fly, 118  
 Ordinances, issued by Jackson, 31  
 Oregon Country, American rights in, 7  
 Organic Law, 32  
 Osceola, Indian Chief, 232; dislikes the white man, 233; imprisoned but freed, 233; promises to emigrate, 233; murders Willy Thompson, 234; willing to cease hostilities, 235; imprisoned by Jesup, 235; sent to Fort Marion, 235; sent to Fort Moultrie, 236; dies, 236; surprised by whites, 246, 247  
  
 Palatka, 230, 238, 273; early history of, 190; becomes military post, 190; loses prominence, 191; seat of convention in 1844, 52  
 Palmer, MacKillop, Dent and Company, 158  
 Palmes, E. P., Engineer, 142  
 Panic of 1837, effect on banks, 155  
 Parish, 198  
 Parkhill, Sam, 269  
  
 Parsons, John, Receiver of Public Land Office, 88  
 Party favoritism, 255  
 Patgoes, Spanish custom, 105  
 Pears, production of, 117  
 Peck, S. S., 154  
 Pelot, John, 107  
 Pensacola, 165; growth of, 165; lumber industry of, 165; suffers from yellow fever, 165; description of in 1821, 165; harbor of, 168; proposed Navy yard at, 168; Navy yard established at, 170; population in 1837, 171; discredits St. Joseph, 175  
 Pensacola Academy, 217, 218  
*Pensacola Gazette*, 92, 134, 166, 168, 169, 170, 175, 245, 254, 259, 261, 263, 272  
 Perdido River, 1, 2, 70, 165, 228  
 Perpall, C. W., member of council, 36  
 Perrault, Major, 133  
 Petition for division of Territory, 262, 263  
 Petitions, for divorces, 41  
 Phagan, John, 230  
 Philips, Albert G., mail-carrier, 131  
 Phillips Academy, 220  
 Phillips, Reverend Edward, 202  
 Pickwick Hotel, 267  
 Picolata, 190  
 Plantation, description of, 122  
 Plantation life, comes to Florida, 108  
 Plantation region, around Tallahassee, 97  
 Planters Hotel, in Tallahassee, 102  
 Planters, send cotton to St. Joseph, 177  
 Platform, of Palatka Convention, 52  
 Poinsett, Joel R., 252  
 Political parties, 256, 257  
 Political system, Spanish, 23  
 Politics, 32  
 Population, by sections, 1830, 109; by sections, 1840, 109  
 Port Leon, 165, 181  
 Porter, Bishop, 200  
 Porter, Commodore David, 193, 194  
 Post roads, established, 130





# INDEX

- Potatoes, production of, 117
- Presbyterian Church, organized, 209; first at St. Augustine, 210
- Presbyterian society, 211
- Presbyterian Synods, 210
- Precedents, set by Jackson, 31
- Preemption claims, settlement of, 92; recognized at public land office, 92
- Preemption rights, bill for, 91
- Presiding Elders, 209
- Price, John, 187
- Price of land, 91
- Prichard, Robert, 186
- Priests, 198
- Private claims, 78
- Private schools, 220, 221
- Problems within Territory, 259
- Protestant denominations, 201, 213
- Protestantism, 199
- Protracted meetings, 208
- Public dinners, held for outstanding people, 101
- Public domain, 78, 82
- Public land, sale of, 82; how surveyed, 83; difficulty in surveying, 83; survey delayed, 84; cost of surveying, 84
- Public Land Office, at Tallahassee, 87; procedure of, 87; journal of sales for, 87; St. Augustine, 88; established at Newnansville, 88
- Public land sales, where held, 89; when held, 89; comparison in amount sold in all offices, 91; average price, 91
- Pumpkins, production of, 117
- Punonrosto land grant, 6, 70
- Putnam, Benjamin A., lawyer, 47, 255
- Qualifications for voting, 48
- Quincy, established, 65
- Race horses, on Tallahassee track, 100
- Race track, at Tallahassee, 99, 100
- Racing season, in Tallahassee, 100; in St. Joseph, 101
- Railroad construction, lack of capital, 137; laborers imported for, 137; little advancement in, 137; agency, 152
- Railroad promoters, 138
- Railroad right-of-way, 138
- Railroads, short lines proposed, 139, 140
- Rampon, Father Claude, 200
- Rates, of Florida Hotel, 102
- Ratification, October 5, 1820, of Treaty of Cession, by Spain, 13; by U.S., February 22, 1821, 14
- Read, Leigh, 106, 156, 248, 250, 251
- Receiver of Public Land Office, duties of, 87
- Register of Public Land Office, duties of, 87
- Registers and Receivers, 76; office in St. Augustine and Tallahassee, 76
- Registration, of Spanish and aliens, 23
- Reid, Robert Raymond, Democrat, 50; gives impression of Tallahassee, 64; opposes banks, 154, 156, 161, 270, 271; appointed governor, 254; meets with little success, 254, 255
- Religion, 198-213
- Religious customs, 104
- Religious forces, 212
- Removal of Seminole Indians, 224-239
- Representatives, selected from districts, 37
- Repudiation of bond, kills banks, 162-164
- Reservations, established for Indians, 66
- Resignation, of Jackson accepted, 30
- Resignations, after change of flags, 25
- Rerick, Rowland H., 147
- Reynolds, Thomas, road commissioner, 128
- Reynolds, William, member of Council, 35, 36
- Rice, production of, 116
- Rivalry, between St. Joseph and Pensacola, 175, 176; Apalachicola and St. Joseph, 175, 176; inter-city, 259, 260; commercial, 259; over location of capital, 259



# INDEX

- Robinson, Samuel, 210  
 Russell, Sam, Register of Public Land Office, 88
- St. Augustine, 273; social activities of, 102, 103; population of, 1821, 1881; buildings in, 182; Fort St. Marks, Fort Marion, 182; yellow fever, 183; population of, 1830, 183; effects of Seminole War on, 183; speculation in, 183; Spanish influence, 183; Minorcans in, 184; how governed, 184; resort town, 184, 185; good climate, 185; orange industry, 185; jealous of other sections, 259; overshadowed, 259; disgruntled, 260
- St. Augustine and Picolata Railroad Company, 143
- St. Augustine Herald*, 263
- St. Augustine News*, 95, 255, 263, 272
- St. Augustine-Pensacola Road, 125, 126
- St. Johns County, organized, 31, 40, 273
- St. Johns Episcopal Church (Jacksonville), 204; (Tallahassee), 204
- St. Johns River, settlements on, 181, 228
- St. Joseph, 165; judicial seat, 45; hit by yellow fever, 142; social activities of, 102; considered for Navy yard, 169; rise of, 175; location of, 175; considered for Navy yard, 175; tries to take commerce from Apalachicola, 176, 177; rapid growth of, 177; place of wickedness, 177, 178; yellow fever, 178, 179; fails to get railroad, 178; devastated, 179, 180; hit by severe gale, 179; selected for Constitutional Convention, 266; advantages of selection, 266, 267
- St. Joseph's Episcopal Church, 204
- St. Joseph-Lake Wimico Road, unsatisfactory, 141; sold and dismantled, 142
- St. Joseph Times*, 177
- St. Marks, 2, 62, 65, 165, 172, 180
- St. Mary's River, 133, 249
- St. Paul's Episcopal Church (Key West), 203, 204
- St. Peter's Episcopal Church (St. Augustine), 201
- St. Sebastian River, 81
- Salvage, of wrecked ships, 121
- San Juan de Pinos, 182
- Santa Rosa County, 273
- Santa Rosa Sound, fort at, 171
- Schermerhorn, J. F., 231
- School at St. Augustine, 215, 216; first free school in Florida, 216
- Schools of higher learning, 214, 215
- Scott, Winfield, 234, 249
- Seacoffee, 225
- Scarle, Reverend, 202, 203
- Second Bank of United States, 144
- Second Session of Council, 36
- Secretary of governor, 34
- Sectionalism, 258
- Segul, Bernard, Indian Commissioner, 227
- Seminole Chiefs, meet whites, 226, 227
- Seminole Indians, 224-239; determined to hold lands, 224; make trouble with whites, 225; where located, 225; lawlessness among, 229; civilization, 224; leaders, 224, 225; origin of, 225; place settled, 225; plight of, 230; suffer hardships, 230; disapprove of removal, 232; determine to hold to their lands, 232; hate Scott, 235
- Seminole War, 224-239; closes, 238; casualties of, 238
- Senate, created, 38; first session, 1839, 39; composition of, 39
- Serenading, practice of, 105
- Sessions of Council, length, 36
- Settlements on the St. Johns, 189-191
- Settlers, introduce American customs, 97
- Shakespeare Hotel, 267
- Shell Point, 65
- Sheriff, appointed in each county, 46
- Ship canal, 136
- Sibbald, Charles, case of, 81
- Simmons, William H., 88; member of Council, 36; helps select site, 60



# INDEX

- Slavery, comes to Florida, 108; becomes an issue, 123, 264
- Slaves, treatment of, 122
- Smith, John, markets tobacco, 115
- Smith, Joseph L., 154, 245; judge in East Florida, 43; lawyer, 47; judge of St. Johns County, 54; had political enemies, 107; exonerated of charges, 107
- Smith, Peter Sken, 183
- Snowden, Reverend E. H., 210
- Social center, Tallahassee, 98
- Social life, basically Spanish, 97
- Sodom and Gomorrah, 180
- Soil, rich in middle Florida, 108; composition of, 110, 111
- Sousa, Domingo, suspected of having documents, 27; refuses to give up documents, 27
- South American colonies, 3
- South Carolina Methodist Conference, 206
- South Florida, senatorial district, 39
- Southard, Samuel, Secretary of Navy, 169
- Southern Baptist Convention, 212
- Southern District, judicial, 44
- Southern hospitality, 98
- Southern Life Insurance and Trust Company, 153, 154; branch at Pensacola, 173
- Spain, not anxious for war, 2; begins negotiations with U.S., 3; how Treaty received there, 9
- Spanish, Cortes, 70
- Spanish, feared Jackson, 31
- Spanish Florida, prior to 1763, 1; after 1783, 1, 2
- Spanish land grants, cause debate, 69
- Spanish land policy, 70
- Spanish troops, take part in revolution in South America, 3
- Sparkman, Esther, asks for divorce, 41
- Specie payment, suspended, 151
- Speculation, in land, 110, 183
- Speculators, 69; go to Pensacola, 166
- Sports, 99
- Sprague, John T., 228
- Squashes, production of, 117
- Squatters, 82
- Staple crop, comes to Florida, 108
- Star of Florida*, 222, 275
- Statehood advocates, oppose division of Territory, 264; petition for, 264
- Statehood, question of, 256; coming of, 258-277; desired by majority of people, 273, 274
- Steel, William F., reputation of, 107
- Stokes, Monfort, 231
- Stuart, Alexander, 269
- Suffrage, qualifications for, 42
- Sugar cane, production of, 112; types of, 112; big yield of, 114; output curtailed, 114, 115
- Summer campaign, 250
- Sunday Schools, 212
- Superior courts, 76; organized, 43; jurisdiction, 43
- Supreme Court, declares Forbes Purchase void, 172
- Surveyor-General, 72, 80; office of, 82, 183; contracts with surveyors, 83; records of, 85
- Surveyors, 76, 83
- Suwannee River, path of Jackson's march, 2; dividing line of East and West Florida, 2, 261
- Tallahassee, site selected, 36; judicial seat, 44; town of, 61; streets named, 63; hit by yellow fever epidemic, 64
- Tallahassee Methodist District, 207; Josiah Evans, elder, 207; church built, 207; ministers, 207
- Tallahassee Railroad Company, 140
- Tallahassee-St. Marks Railroad, construction of, 140; importance of, 140; partially destroyed, 140
- Tally, Reverend Alexander, 206
- Tampa, 165, 181; considered for Navy yard, 169
- Tampa Bay, 181, 227
- Tampa Bay and St. Johns Railroad Canal and Steamboat Company, 139
- Taylor, Marie, 186
- Taylor, Zachary, 236
- Temperance movement, 213





# INDEX

- Terms of governors, 33
- Territorial period closes, 276
- Texas, a possible slave territory, 8
- Thanksgiving Day, 104; observed after 1842, 104
- The Courier*, 263
- Theatre, performances, 103; too refined, 103; place of amusement, 103
- Thomas, David, 84
- Thompson, Wiley, Indian Agent, 232, 233; murdered, 234
- Toasts, at public dinner, 101
- Tobacco, production of, 115; limited growth of, 115
- Town government, 41
- Towns, rise of, 165
- Trade, with Spain, 26
- Transylvania College, 222
- Treaty of Cession, completed February 20, 1819, 4; signed and sealed Feb. 22, 1819, 4; consists of 16 articles, 6; terms, 6; article eight, 6; rejected, 13; delivery of Florida, 15, 69; article six of, 258
- Treaty of Fort Gibson, 231, 232
- Treaty of Fort Moultrie, 227; not satisfactory, 228
- Treaty of Payne's Landing, 231, 232
- Treaty of 1795, what Spain promised in, 2
- Trees, kinds found, 119
- Trinity Episcopal Church. (St. Augustine), 204
- Tucker, Reverend John, 212
- Turnbull, Andrew, 184, 198
- Tuski Hajo, 227, 228
- Tyler, John, 256, 275
- Uniform, officers in, 27
- Union Bank of Tallahassee, 146, 148-151
- Union of East and West Florida, 260
- United States Attorney, 76
- Vagas grant, 6, 70
- Van Buren, Martin, 253
- Vanilla plants, production of, 117
- Vernon, 65
- Virginia, University of, 222
- Vives, Don Francisco, minister to Washington, 11
- Volunteers, 250
- Wa-Kulla River, 62
- Walker, George, member of Senate, 39
- Wallen, Henry, 220
- Walton County, created, 40
- Walton, George, secretary of West Florida, 24; one of commission to get documents, 27; in charge of government, 30; acting governor, 55
- War Department, 250
- War of 1812, U.S. desired from, 1
- Ward, George W., lawyer, 47; defeated by David Levy, 51; Register of Public Land Office, 87
- Warren, John, president of Senate, 39; names Jacksonville, 187
- Warrington, Lewis, 169, 170
- Washington County, created, 41, 273
- Washington Hall, in Tallahassee, 102
- Washington, Henry, 83
- Watermelons, production of, 117
- Waukeenah plantation, 97
- Weather, in Florida, 104
- Webb, Joseph, appointed judge, 44
- Webbville Academy, location of, 218; trustees of, 218
- Webville, 65
- Westcott, James D., lawyer, 47, 277
- West Florida, 2, 39, 258, 259, 260, 261, 262, 263, 264, 265, 266, 272
- West Florida Baptist Association, 212
- Wetumpka, 234
- Whig Convention, 277
- Whig Party, 157, 253, 254, 255
- Whigs, favor division, 50; want Levy unseated, 51, 52; successful in local elections, 52
- White, "Florida," wife of J. M. White, 49; beautiful, 98
- White, Joseph M., appointed to Council, 35; lawyer, 47; Territorial delegate, 48; politician, 48, 49; retires from Congress, 49; exposes fraudulent claims, 73; works for canal in Congress, 132; tries to



## INDEX

- White, Joseph M. (*continued*)
  - pacify Indians, 229; elected to Congress, 244
- Wildcat, Indian chief, imprisoned, 235; escapes from Fort Marion, 236; leads Indians against whites, 236; captured, 238; cooperates in removal, 238
- Wilkins Hotel, social center in Pensacola, 101
- William and Mary College, 222
- Williams, John Lee, 184; describes customs, 105; helps select site, 60
- Williston, Reverend Ralph, 202
- Wilson, Reverend, minister at Apalachicola, 174
- Withlacoochee River, 235, 246
- Withlacoochee Swamp, 251
- Woart, J. Loring, 204
- Woodward, Augustus B., judge, 44
- Worth, William J., 237
- Worthington, William G. D., secretary of East Florida, 24; in charge of government, 30
- Wrecking business, 194
- Wright, Ben D., member of Senate, 39
- Writ, issued by Judge Fromentin, 28
- Wyatt, William, on nullification, 50
- Yellow fever, in Pensacola, 35; epidemic, halts surveying, 84, 85; in Pensacola, 166; hits St. Joseph, 178, 179
- Yough, Henry, member of Council, 36

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